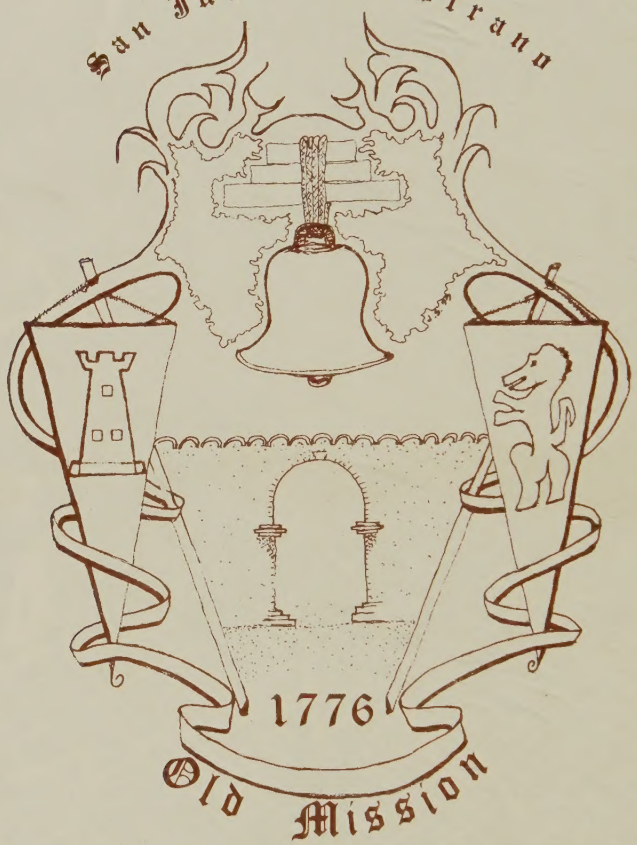
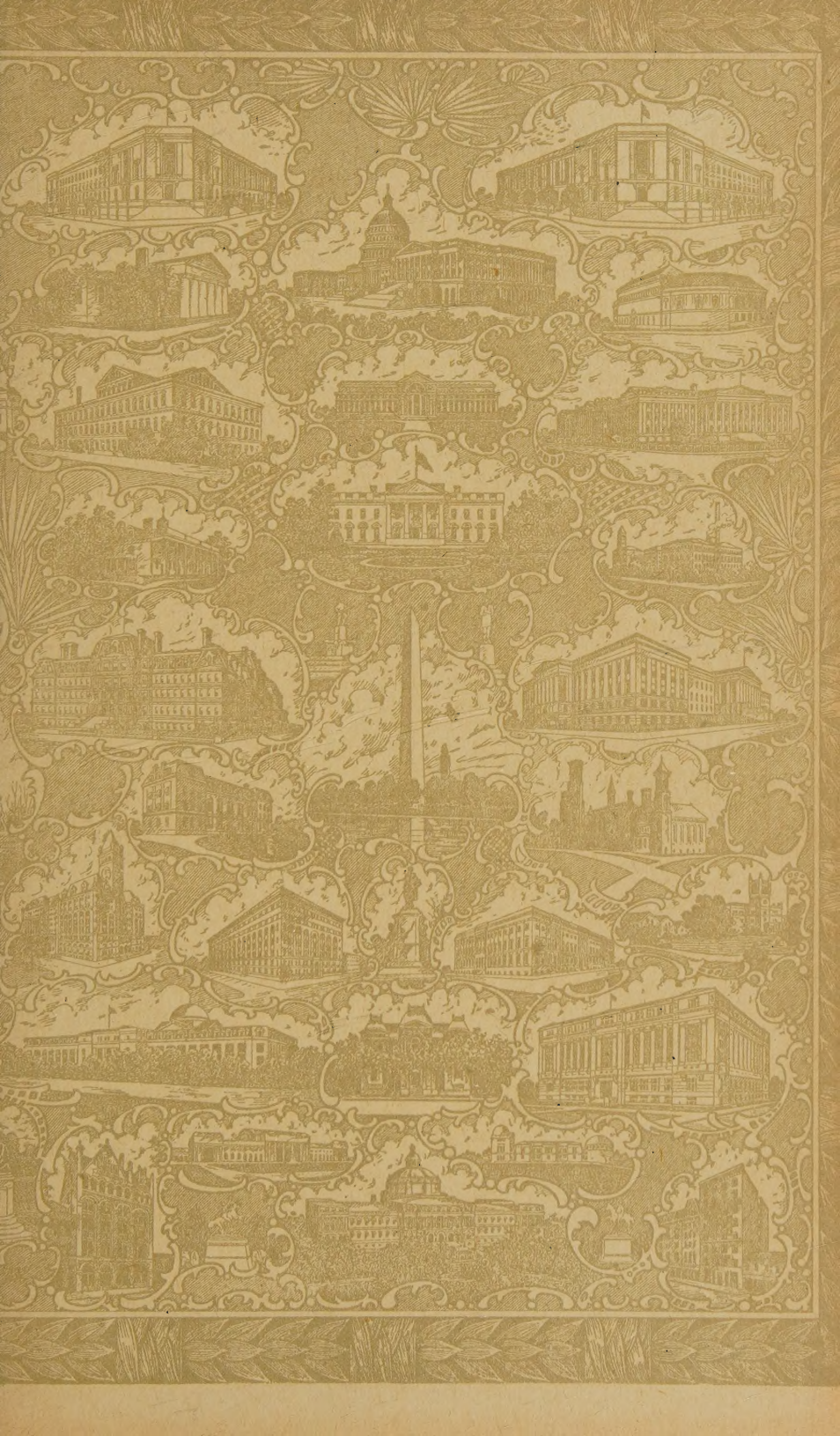
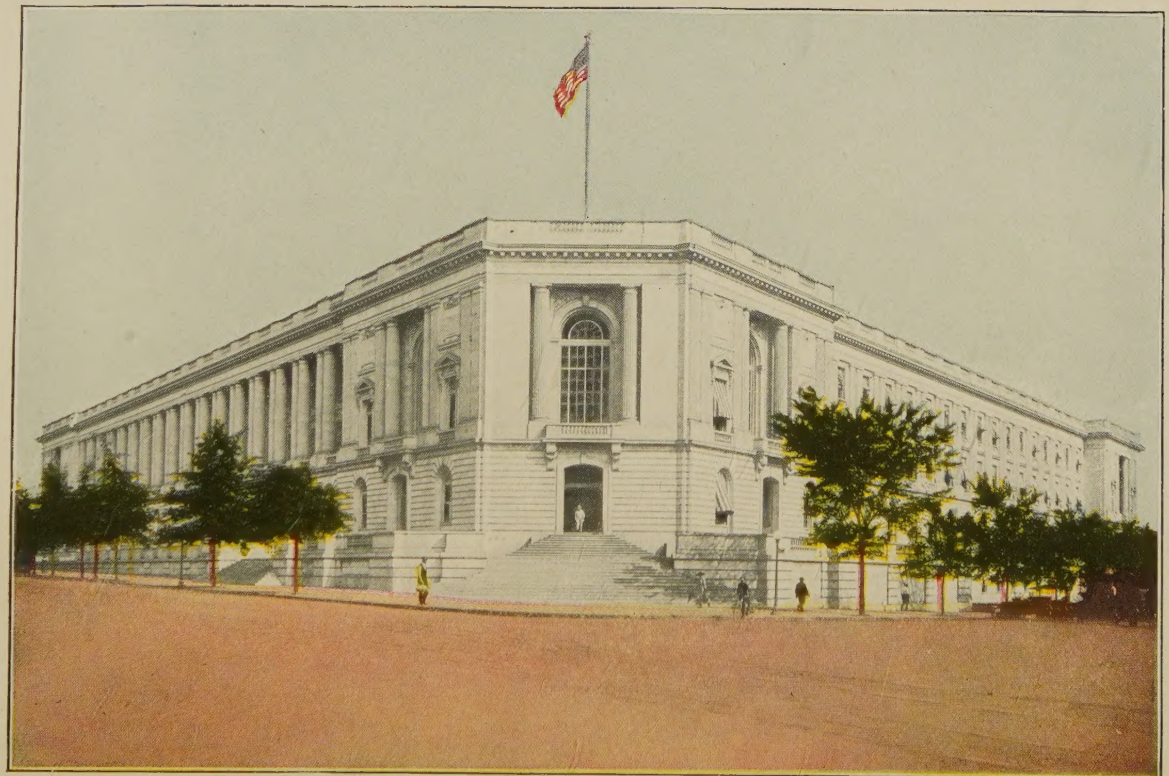
THE PRESIDENTS

This Article is the
Personal Property of
St. John O'Sullivan







House of Representatives Office Building

A COMPILATION

OF THE

MESSAGES AND PAPERS

OF THE

PRESIDENTS

Prepared Under the Direction of the Joint Committee
on Printing, of the House and Senate,
Pursuant to an Act of the Fifty-Second Congress
of the United States

(With Additions and Encyclopedic Index
by Private Enterprise)

VOLUME XII

PUBLISHED BY

BUREAU OF NATIONAL LITERATURE, Inc.

NEW YORK

Copyright, 1897
BY
JAMES D. RICHARDSON

ILLUSTRATIONS IN VOLUME TWELVE

	PAGE
The House of Representatives Office Building . *Frontispiece*	
The *Maine* Entering Havana Harbor, January 25, 1898 . .	5603
Columbus Statue and Union Station, Washington . . .	5635
Mortars and Guns: Morro Castle	5667
Fort and Blockhouse at El Caney	5699
Occupation of Santiago Harbor	5731
View of the Ruined *Oquendo*	5763
United States Troops Embarking and on Transport . .	5795
The Burning of Siboney, 1898	5822
The Government Printing Office	5854
The *Maine* a Few Days After the Explosion	5886
The Wreck of the *Maine,* June, 1911	5918
Blockhouse and Charge of San Juan Hill	5950
Facsimile — President Cleveland's Proclamation of Utah's Statehood	5982
The Virgin Islands	6014
The White House	6046

success in the discharge of the duties of the office; but these are considerations for the appointing power, and might safely have been left there.

If this particular appointment was backed by reasons so obvious as to secure the support of both Houses of Congress, it should have been assumed that these reasons could have been made obvious to the Executive by the ordinary methods. In connection with the Army and Navy retired lists, legislation akin to this has become quite frequent, too frequent in my opinion; but these laws have been regarded as grants of pensions rather than of offices.

If it is to be allowed that active places connected with the Executive Departments can be created upon condition that particular persons are or are not to be designated to fill them, the power of appointment might be wholly diverted from the Executive to the Congress.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *March 2, 1891.*

I return herewith without my approval the bill (S. 3270) "for the relief of the administratrix of the estate of George W. Lawrence."

If I rightly construe this bill, it authorizes the Court of Claims to give judgment in favor of the contractor with the United States for the construction of the vessels named (*Agawam* and *Pontoosuc*) for the difference between the contract price and the actual cost to the contractor of building the vessels, subject only to the condition that nothing shall be allowed for any advance in the price of labor or material unless such advance occurred during the prolonged term for completing the work rendered necessary by delay resulting from the action of the Government. The bill is somewhat obscure, but I have, I think, correctly stated the legal effect of it.

Undoubtedly in contracts made for army and navy supplies and construction during the early days of the war there was not infrequently loss to the contractor by reason of the advance in the cost of labor resulting from the withdrawal of so large a body of men for service in the field and the indirect result of this upon the cost of material; but I can not believe that it is the purpose of Congress to reopen such contracts at this late day and to pay to the contractors the cost of the work or material which they stipulated to do or deliver at fixed prices. In the matter of another vessel constructed by this same claimant and in the case of one other similar claim I approved bills at the last session, but they carefully limited any finding by the Court of Claims to such losses as necessarily resulted from the interference by the Government with the progress of the work, thus creating delays and enhanced cost.

In those cases the Government only undertook to make good losses resulting directly and unavoidably from its own acts. If the principle which seems to me to be embodied in the bill under consideration is

adopted, I do not see how the Congress can refuse in all cases of all sorts of contracts to make good the losses resulting from appreciation in the cost of labor and material. The expenditure that such a policy would entail is incalculable, and the policy itself is, in my judgment, indefensible.

The bill at the last session for the relief of this claimant in the case of another vessel constructed by him was, as I have said, carefully put upon the lines I have indicated, and if this claim could have been maintained upon those lines I assume that the bill would have been similar in its provisions.

BENJ. HARRISON.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory proof has been presented to me that provision has been made for adequate grounds and buildings for the uses of the World's Columbian Exposition, and that a sum not less than $10,000,000, to be used and expended for the purposes of said exposition, has been provided in accordance with the conditions and requirements of section 10 of an act entitled "An act to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, and sea, in the city of Chicago, in the State of Illinois," approved April 25, 1890:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the authority vested in me by said act, do hereby declare and proclaim that such international exhibition will be opened on the 1st day of May, in the year 1893, in the city of Chicago, in the State of Illinois, and will not be closed before the last Thursday in October of the same year. And in the name of the Government and of the people of the United States I do hereby invite all the nations of the earth to take part in the commemoration of an event that is preeminent in human history and of lasting interest to mankind by appointing representatives thereto and sending such exhibits to the World's Columbian Exposition as will most fitly and fully illustrate their resources, their industries, and their progress in civilization.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of December, 1890, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the United States of Brazil the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Brazil at Washington has communicated to the Secretary of State the fact that, in due reciprocity for and in consideration of the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Brazil has by legal enactment authorized the admission, from and after April 1, 1891, into all the established ports of entry of Brazil, free of all duty, whether national, state, or municipal, of the articles or merchandise named in the following schedule, provided that the same be the product and manufacture of the United States of America:

I.—SCHEDULE OF ARTICLES TO BE ADMITTED FREE INTO BRAZIL.

Wheat.
Wheat flour.
Corn or maize and the manufactures thereof, including corn meal and starch.
Rye, rye flour, buckwheat, buckwheat flour, and barley.
Potatoes, beans, and pease.
Hay and oats.
Pork, salted, including pickled pork and bacon, except hams.
Fish, salted, dried, or pickled.
Cotton-seed oil.
Coal, anthracite and bituminous.
Rosin, tar, pitch, and turpentine.
Agricultural tools, implements, and machinery.
Mining and mechanical tools, implements, and machinery, including stationary and portable engines and all machinery for manufacturing and industrial purposes, except sewing machines.
Instruments and books for the arts and sciences.
Railway construction material and equipment.

And that the Government of Brazil has by legal enactment further authorized the admission into all the established ports of entry of Brazil, with a reduction of 25 per cent of the duty designated on the respective article in the tariff now in force or which may hereafter be adopted in the United States of Brazil, whether national, state, or municipal, of the articles or merchandise named in the following schedule, provided

that the same be the product or manufacture of the United States of America:

2.—SCHEDULE OF ARTICLES TO BE ADMITTED INTO BRAZIL WITH A REDUCTION OF DUTY OF 25 PER CENT.

Lard and substitutes therefor.
Bacon hams.
Butter and cheese.
Canned and preserved meats, fish, fruits, and vegetables.
Manufactures of cotton, including cotton clothing.
Manufactures of iron and steel, single or mixed, not included in the foregoing free schedule.
Leather and the manufactures thereof, except boots and shoes.
Lumber, timber, and the manufactures of wood, including cooperage, furniture of all kinds, wagons, carts, and carriages.
Manufactures of rubber.

And that the Government of Brazil has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer nor impose any additional charges or fees therefor on the articles imported;

And whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Brazil at Washington that this action of the Government of Brazil in granting exemption of duties to the products and manufactures of the United States of America is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff law of Brazil to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 5th day of February, 1891, and of the Independence of the United States of America the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of

the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and limits thereof.

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested, do hereby make known and proclaim that there has been and is hereby reserved from entry or settlement and set apart for a public forest reservation all that tract of land situate in the State of Wyoming contained within the following-described boundaries:

Beginning at a point on the parallel of 44° 50′ where said parallel is intersected by the meridian of 110° west longitude; thence due east along said parallel to the meridian of 109° 30′ west longitude; thence due south along said meridian to the forty-fourth parallel of north latitude; thence due west along said parallel to its point of intersection with the west boundary of the State of Wyoming; thence due north along said boundary line to its intersection with the south boundary of the Yellowstone National Park.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of March, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

* * * * * * *

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea, and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month in at least one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering such waters for the purpose of violating the provisions of said section, and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above-recited statutes, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be or to have been engaged in any violation of the laws of the United States in said waters will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of April, 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to an act of Congress approved May 15, 1886, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various tribes for the year ending June 30, 1887, and for other purposes," an agreement was entered into on the 14th day of December, 1886, by John V. Wright, Jared W. Daniels, and Charles F. Larrabee, commissioners on the part of the United States, and the Arickaree, Gros Ventre, and Mandan tribes of Indians, residing on the Fort Berthold Reservation, in the then Territory of Dakota, now State of North Dakota, embracing a majority of all the male adult members of said tribes; and

Whereas by an act of Congress approved March 3, 1891, entitled "An act making appropriations for the current and contingent expenses of

the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," the aforesaid agreement of December 14, 1886, was accepted, ratified, and confirmed, except as to article 6 thereof, which was modified and changed on the part of the United States so as to read as follows:

That the residue of lands within said diminished reservation, after all allotments have been made as provided in article 3 of this agreement, shall be held by the said tribes of Indians as a reservation.

And whereas it is provided in said last above-mentioned act—

That this act shall take effect only upon the acceptance of the modification and changes made by the United States as to article 6 of the said agreement by the said tribes of Indians in manner and form as said agreement was assented to, which said acceptance and consent shall be made known by proclamation by the President of the United States, upon satisfactory proof presented to him that the said acceptance and consent have been obtained in such manner and form.

And whereas satisfactory proof has been presented to me that the acceptance of and consent to the provisions of the act last named by the different bands of Indians residing on said reservation have been obtained in manner and form as said agreement of December 14, 1886, was assented to:

Now, therefore, I, Benjamin Harrisor, President of the United States, by virtue of the power in me vested, do hereby make known and proclaim the acceptance of and consent to the modification and changes made by the United States as to article 6 of said agreement by said tribe of Indians as required by the act, and said act is hereby declared to be in full force and effect, subject to all provisions, conditions, limitations, and restrictions therein contained.

All persons will take notice of the provisions of said act and of the conditions and restrictions therein contained, and be governed accordingly.

I furthermore notify all persons to particularly observe that a certain portion of the said Fort Berthold Reservation not ceded and relinquished by said agreement is reserved for allotment to, and also as a reservation for, the said tribes of Indians; and all persons are therefore hereby warned not to go upon any of the lands so reserved for any purpose or with any intent whatsoever, as no settlement or other rights can be secured upon said lands, and all persons found unlawfully thereon will be dealt with as trespassers and intruders; and I hereby declare all the lands sold, ceded, and relinquished to the United States under said agreement, namely, "all that portion of the Fort Berthold Reservation, as laid down upon the official map of the" (then) "Territory of Dakota published by the General Land Office in the year 1885, lying north of the forty-eighth parallel of north latitude, and also all that portion lying west of a north and south line 6 miles west of the most westerly point of the big bend of the Missouri River, south of the forty-eighth parallel of north latitude," open to settlement and subject to disposal as provided in section

25 of the act of March 3, 1891, aforesaid (26 U. S. Statutes at Large p. 1035).

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of May, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an agreement for a *modus vivendi* between the Government of the United States and the Government of Her Britannic Majesty in relation to the fur-seal fisheries in Bering Sea was concluded on the 15th day of June, A. D. 1891, word for word as follows:

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF HER BRITANNIC MAJESTY FOR A MODUS VIVENDI IN RELATION TO THE FUR-SEAL FISHERIES IN BERING SEA.

For the purpose of avoiding irritating differences and with a view to promote the friendly settlement of the questions pending between the two Governments touching their respective rights in Bering Sea, and for the preservation of the seal species, the following agreement is made without prejudice to the rights or claims of either party:

(1) Her Majesty's Government will prohibit until May next seal killing in that part of Bering Sea lying eastward of the line of demarcation described in article No. 1 of the treaty of 1867 between the United States and Russia, and will promptly use its best efforts to insure the observance of this prohibition by British subjects and vessels.

(2) The United States Government will prohibit seal killing for the same period in the same part of Bering Sea and on the shores and islands thereof the property of the United States (in excess of 7,500 to be taken on the islands for the subsistence and care of the natives), and will promptly use its best efforts to insure the observance of this prohibition by United States citizens and vessels.

(3) Every vessel or person offending against this prohibition in the said waters of Bering Sea outside of the ordinary territorial limits of the United States may be seized and detained by the naval or other duly commissioned officers of either of the high contracting parties, but they shall be handed over as soon as practicable to the authorities of the nation to which they respectively belong, who shall alone have jurisdiction to try the offense and impose the penalties for the same. The witnesses and proofs necessary to establish the offense shall also be sent with them.

(4) In order to facilitate such proper inquiries as Her Majesty's Government may desire to make with a view to the presentation of the case of that Government before arbitrators, and in expectation that an agreement for arbitration may be arrived at, it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or to remain upon the seal islands during the present sealing season for that purpose.

Signed and sealed in duplicate at Washington, this 15th day of June, 1891, on behalf of their respective Governments, by William F. Wharton, Acting Secretary of State of the United States, and Sir Julian Pauncefote, G. C. M. G., K. C. B., H. B. M. envoy extraordinary and minister plenipotentiary.

WILLIAM F. WHARTON. [SEAL.]
JULIAN PAUNCEFOTE. [SEAL.]

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said agreement to be made public, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of June, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or a subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Belgium, France, Great Britain and the British possessions, and Switzerland the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the citizens of those countries:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, is now fulfilled in respect

to the citizens or subjects of Belgium, France, Great Britain, and Switzerland.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of July, 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Spain the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Spain at Washington has communicated to the Secretary of State the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Spain will by due legal enactment and as a provisional measure admit, from and after September 1, 1891, into all the established ports of entry of the Spanish islands of Cuba and Puerto Rico the articles or merchandise named in the following transitory schedule, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:

TRANSITORY SCHEDULE.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico free of duties:

1. Meats, in brine, salted or smoked, bacon, hams, and meats preserved in cans, in lard or by extraction of air, jerked beef excepted.
2. Lard.
3. Tallow and other animal greases, melted or crude, unmanufactured.
4. Fish and shellfish, live, fresh, dried, in brine, smoked, pickled, oysters and salmon in cans.
5. Oats, barley, rye, and buckwheat, and flour of these cereals.
6. Starch, maizena, and other alimentary products of corn, except corn meal.
7. Cotton seed, oil and meal cake of said seed for cattle.
8. Hay, straw for forage, and bran.

9. Fruits, fresh, dried, and preserved, except raisins.
10. Vegetables and garden products, fresh and dried.
11. Resin of pine, tar, pitch, and turpentine.
12. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, round or cylindric masts, although cut, planed, and tongued and grooved, including flooring.
13. Woods for cooperage, including staves, headings, and wooden hoops.
14. Wooden boxes, mounted or unmounted, except of cedar.
15. Woods, ordinary, manufactured into doors, frames, windows, and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.
16. Wagons and carts for ordinary roads and agriculture.
17. Sewing machines.
18. Petroleum, raw or unrefined, according to the classification fixed in the existing orders for the importation of this article in said islands.
19. Coal, mineral.
20. Ice.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico on payment of the duties stated:

21. Corn or maize, 25 cents per 100 kilograms.
22. Corn meal, 25 cents per 100 kilograms.
23. Wheat, from January 1, 1892, 30 cents per 100 kilograms.
24. Wheat flour, from January 1, 1892, $1 per 100 kilograms.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico at a reduction of duty of 25 per cent:

25. Butter and cheese.
26. Petroleum, refined.
27. Boots and shoes in whole or in part of leather or skins.

And whereas the envoy extraordinary and minister plenipotentiary of Spain in Washington has further communicated to the Secretary of State that the Government of Spain will in like manner and as a definitive arrangement admit, from and after July 1, 1892, into all the established ports of entry of the Spanish islands of Cuba and Puerto Rico the articles or merchandise named in the following schedules A, B, C, and D, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:

SCHEDULE A.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico free of duties:

1. Marble, jasper, and alabaster, natural or artificial, in rough or in pieces, dressed, squared, and prepared for taking shape.
2. Other stones and earthy matters, including cement, employed in building, the arts and industries.
3. Waters, mineral or medicinal.
4. Ice.
5. Coal, mineral.
6. Resin, tar, pitch, turpentine, asphalt, schist, and bitumen.
7. Petroleum, raw or crude, in accordance with the classification fixed in the tariff of said islands.
8. Clay, ordinary, in paving tiles, large and small, bricks, and roof tiles unglazed for the construction of buildings, ovens, and other similar purposes.
9. Gold and silver coin.
10. Iron, cast, in pigs, and old iron and steel.

11. Iron, cast, in pipes, beams, rafters, and similar articles for the construction of buildings and in ordinary manufactures. (See repertory.)

12. Iron, wrought, and steel, in bars, rails and bars of all kinds, plates, beams, rafters, and other similar articles for construction of buildings.

13. Iron, wrought, and steel, in wire, nails, screws, nuts, and pipes.

14. Iron, wrought, and steel, in ordinary manufactures, and wire cloth unmanufactured. (See repertory.)

15. Cotton, raw, with or without seed.

16. Cotton seed, oil and meal cake of same for cattle.

17. Tallow and all other animal greases, melted or crude, unmanufactured.

18. Books and pamphlets, printed, bound and unbound.

19. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, and round or cylindric masts, although cut, planed, tongued and grooved, including flooring.

20. Wooden cooperage, including staves, headings, and wooden hoops.

21. Wooden boxes, mounted or unmounted, except of cedar.

22. Woods, ordinary, manufactured into doors, frames, windows, and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.

23. Woods, ordinary, manufactured into all kinds of articles, turned or unturned, painted or varnished, except furniture. (See repertory.)

24. Manures, natural or artificial.

25. Implements, utensils, and tools for agriculture, the arts, and mechanical trades

26. Machines and apparatus, agricultural, motive, industrial, and scientific, of all classes and materials, and loose pieces for the same, including wagons, carts, and handcarts for ordinary roads and agriculture.

27. Material and articles for public works, such as railroads, tramways, roads, canals for irrigation and navigation, use of waters, ports, light-houses, and civil construction of general utility, when introduced by authorization of the Government or if free admission is obtained in accordance with local laws.

28. Materials of all classes for the construction, repair in whole or in part of vessels, subject to specific regulations to avoid abuse in the importation.

29. Meats, in brine, salted and smoked, including bacon, hams, and meats preserved in cans, in lard or by extraction of air, jerked beef excepted.

30. Lard and butter.

31. Cheese.

32. Fish and shellfish, live, fresh, dried, in brine, salted, smoked, and pickled, oysters and salmon in cans.

33. Oats, barley, rye, and buckwheat, and flour of these cereals.

34. Starch, maizena, and other alimentary products of corn, except corn meal.

35. Fruits, fresh, dried, and preserved, except raisins.

36. Vegetables and garden products, fresh and dried.

37. Hay, straw for forage, and bran.

38. Trees, plants, shrubs, and garden seeds.

39. Tan bark.

SCHEDULE B.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico on payment of the duties stated:

40. Corn or maize, 25 cents per 100 kilograms.

41. Corn meal, 25 cents per 100 kilograms.

42. Wheat, 30 cents per 100 kilograms.

43. Wheat flour, $1 per 100 kilograms.

44. Carriages, cars and other vehicles for railroads or tramways, where authorization of the Government for free admission has not been obtained, 1 per cent *ad valorem.*

SCHEDULE C.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico at a reduction of duty of 50 per cent:

45. Marble, jasper, and alabaster of all kinds, cut into flags, slabs, or steps, and the same worked or carved in all kinds of articles, polished or not.

46. Glass and crystal ware, plate and window glass, and the same silvered, quicksilvered, and platinized.

47. Clay in tiles, large and small, and mosaic for pavement, colored tiles, roof tiles glazed, and pipes.

48. Stoneware and fine earthenware, and porcelain.

49. Iron, cast, in fine manufactures or those polished, with coating of porcelain or part of other metals. (See repertory.)

50. Iron, wrought, and steel, in axles, tires, springs, and wheels for carriages, rivets and their washers.

51. Iron, wrought, and steel, in fine manufactures or those polished, with coating of porcelain or part of other metals, not expressly comprised in other numbers of these schedules, and platform scales for weighing. (See repertory.)

52. Needles, pens, knives (table and carving), razors, penknives, scissors, pieces for watches, and other similar articles of iron and steel.

53. Tin plate in sheets or manufactured.

54. Copper, bronze, brass, and nickel, and alloys of same with common metals, in lump or bars, and all manufactures of the same.

55. All other common metals and alloys of the same, in lump or bars, and all manufactures of the same, plain, varnished, gilt, silvered, or nickeled.

56. Furniture of all kinds, of wood or metal, including school furniture, blackboards, and other materials for schools, and all kinds of articles of fine woods not expressly comprised in other numbers of these schedules. (See repertory.)

57. Rushes, esparto, vegetable hair, broom corn, willow, straw, palm, and other similar materials, manufactured into articles of all kinds.

58. Pastes for soups, rice flour, bread and crackers, and alimentary farinas not comprised in other numbers of these schedules.

59. Preserved alimentary substances and canned goods not comprised in other numbers of these schedules, including sausages, stuffed meats, mustards, sauces, pickles, jams, and jellies.

60. Rubber and gutta-percha and manufactures thereof, alone or mixed with other substances (except silk), and oilcloths and tarpaulin.

61. Rice, hulled or unhulled.

SCHEDULE D.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico at a reduction of duty of 25 per cent:

62. Petroleum, refined, and benzine.

63. Cotton, manufactured, spun or twisted, and in goods of all kinds, woven or knit, and the same mixed with other vegetable or animal fibers in which cotton is an equal or greater component part, and clothing exclusively of cotton.

64. Rope, cordage, and twine of all kinds.

65. Colors, crude and prepared, with or without oil, inks of all kinds, shoe blacking, and varnishes.

66. Soap, toilet, and perfumery.

67. Medicines, proprietary or patent and all others, and drugs.

68. Stearine and tallow manufactured in candles.

69. Paper for printing, for decorating rooms, of wood or straw, for wrapping and packing, and bags and boxes of same, sandpaper and pasteboard.

70. Leather and skins, tanned, dressed, varnished, or japanned, of all kinds, including sole leather or belting.

71. Boots and shoes in whole or in part of leather or skins.

72. Trunks, valises, traveling bags, portfolios, and other similar articles in whole or in part of leather.

73. Harness and saddlery of all kinds.

74. Watches and clocks of gold, silver, or other metals, with cases of stone, wood, or other material, plain or ornamented.

75. Carriages of two or four wheels and pieces of the same.

It is understood that flour which on its exportation from the United States has been favored with drawbacks shall not share in the foregoing reduction of duty.

The provisional arrangement as set forth in the transitory schedule shall come to an end on July 1, 1892, and on that date be substituted by the definitive arrangement as set forth in schedules A, B, C, and D.

And that the Government of Spain has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer nor impose any additional charges or fees therefor on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Spain at Washington that this action of the Government of Spain in granting exemption of duties to the products and manufactures of the United States of America on their importation into Cuba and Puerto Rico is accepted for those islands as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Cuba and Puerto Rico to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of July, 1891, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the Dominican

Republic the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of the Dominican Republic at Washington has communicated to the special plenipotentiary of the United States the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of the Dominican Republic will by due legal enactment admit, from and after September 1, 1891, into all the established ports of entry of the Dominican Republic the articles or merchandise named in the following schedules, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:

SCHEDULE A.

Articles to be admitted free of duty into the Dominican Republic:

1. Animals, live.
2. Meats of all kinds, salted or in brine, but not smoked.
3. Corn or maize, corn meal, and starch.
4. Oats, barley, rye, and buckwheat, and flour of these cereals.
5. Hay, bran, and straw for forage.
6. Trees, plants, vines, and seeds, and grains of all kinds for propagation.
7. Cotton-seed oil and meal cake of same.
8. Tallow, in cake or melted, and oil for machinery, subject to examination and proof respecting the use of said oil.
9. Resin, tar, pitch, and turpentine.
10. Manures, natural and artificial.
11. Coal, mineral.
12. Mineral waters, natural and artificial.
13. Ice.
14. Machines, including steam engines and those of all other kinds, and parts of the same, implements and tools for agricultural, mining, manufacturing, industrial, and scientific purposes, including carts, wagons, handcarts, and wheelbarrows, and parts of the same.
15. Material for the construction and equipment of railways.
16. Iron, cast and wrought, and steel, in pigs, bars, rods, plates, beams, rafters, and other similar articles for the construction of buildings, and in wire, nails, screws, and pipes.
17. Zinc, galvanized and corrugated iron, tin and lead in sheets, asbestus, tar paper, tiles, slate, and other material for roofing.
18. Copper in bars, plates, nails, and screws.
19. Copper and lead pipe.
20. Bricks, fire bricks, cement, lime, artificial stone, paving tiles, marble and other stones in rough, dressed or polished, and other earthy materials used in building.
21. Windmills.
22. Wire, plain or barbed, for fences, with hooks, staples, nails, and similar articles used in the construction of fences.
23. Telegraph wire and telegraphic, telephonic, and electrical apparatus of all kinds for communication and illumination.

24. Wood and lumber of all kinds for building, in logs or pieces, beams, rafters, planks, boards, shingles, flooring, joists, wooden houses, mounted or unmounted, and accessory parts of buildings.

25. Cooperage of all kinds, including staves, headings, and hoops, barrels and boxes, mounted or unmounted.

26. Materials for shipbuilding.

27. Boats and lighters.

28. School furniture, blackboards, and other articles exclusively for the use of schools.

29. Books, bound or unbound, pamphlets, newspapers and printed matter, and paper for printing newspapers.

30. Printers' inks of all colors, type, leads, and all accessories for printing.

31. Sacks, empty, for packing sugar.

32. Gold and silver coin and bullion.

SCHEDULE B.

Articles to be admitted into the Dominican Republic at a reduction of duty of 25 per cent:

33. Meats not included in Schedule A and meat products of all kinds except lard.

34. Butter, cheese, and condensed or canned milk.

35. Fish and shellfish, salted, dried, smoked, pickled, or preserved in cans.

36. Fruits and vegetables, fresh, canned, dried, pickled, or preserved.

37. Manufactures of iron and steel, single or mixed, not included in Schedule A.

38. Cotton, manufactured, spun or twisted, and in fabrics of all kinds, woven or knit, and the same fabrics mixed with other vegetable or animal fibers in which cotton is the equal or greater component part.

39. Boots and shoes in whole or in part of leather or skins.

40. Paper for writing, in envelopes, ruled or blank books, wall paper, paper for wrapping and packing, for cigarettes, in cardboard, boxes, and bags, sandpaper and pasteboard.

41. Tin plate and tinware for arts, industries, and domestic uses.

42. Cordage, rope, and twine of all kinds.

43. Manufactures of wood of all kinds not embraced in Schedule A, including wooden ware, implements for household use, and furniture in whole or in part of wood.

And that the Government of the Dominican Republic has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer nor impose any additional charges or fees therefor on the articles imported; and

Whereas the special plenipotentiary of the United States has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of the Dominican Republic at Washington that this action of the Government of the Dominican Republic in granting exemption of duties to the products and manufactures of the United States of America on their importation into the Dominican Republic is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of

the tariff laws of the Dominican Republic to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of August, 1891, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and limits thereof.

And whereas the lands hereinafter described are public and forest bearing, and on the 30th of March last I issued a proclamation* intended to reserve the same as authorized in said act, but as some question has arisen as to the boundaries proclaimed being sufficiently definite to cover the forests intended to be reserved:

Now, therefore, I, Benjamin Harrison, President of the United States, for the purpose of removing any doubt and making the boundaries of said reservation more definite, by virtue of the power in me vested by said act, do hereby issue this my second proclamation and hereby set apart, reserve, and establish as a public reservation all that tract of land situate in the State of Wyoming embraced within the following boundary:

Beginning at a point on the parallel of 44° 50′ north latitude where said parallel is intersected by the east boundary of the Yellowstone National Park; thence due east along said parallel 24½ miles; thence due south to the parallel of 44° north latitude; thence due west along said parallel to its point of intersection with the west boundary of the State of Wyoming; thence due north along said boundary to its intersection with the south boundary of the Yellowstone National Park; thence due east along the south boundary of said park to the southeast corner thereof; thence due north along the east boundary of said park to the place of beginning.

And warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

See pp. 5577–5578.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 10th day of September, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a written agreement made on the 12th day of June, 1890, the Sac and Fox Nation of Indians, in the Territory of Oklahoma, ceded and conveyed to the United States of America all title or interest of said Indians in and to the lands particularly described in Article I of the agreement, except the quarter section of land on which the Sac and Fox Agency is located, and provided that the section of land now designated and set apart near the Sac and Fox Agency for a school and farm shall not be subject either to allotment or to homestead entry; that every citizen of said nation shall have an allotment of land in quantity as therein stated, to be selected within the tract of country so ceded, except in sections 16 and 36 in each Congressional township, and except the agency quarter section and section set apart for school and farm, as above mentioned, or other lands selected in lieu thereof; that when the allotments to the citizens of the Sac and Fox Nation are made the Secretary of the Interior shall cause trust patents to issue therefor in the name of the allottees, and that as soon as such allotments are so made and approved by the Department of the Interior, and the patents provided for are issued, then the residue of said tract of country shall, as far as said Sac and Fox Nation is concerned, become public lands of the United States, and, under such restrictions as may be imposed by law, be subject to white settlement; and

Whereas by a certain other agreement with the Iowa tribe of Indians residing on the Iowa Reservation, in said Territory, made on the 20th day of May, 1890, said tribe surrendered and relinquished to the United States all their title and interest in and to the lands of said Indians in said Territory, and particularly described in Article I of said agreement, and provided that each and every member of said tribe shall have an allotment of 80 acres of land upon said reservation, and upon the approval of such allotments by the Secretary of the Interior that trust patents shall be issued therefor, and that there shall be excepted from the operation of said agreement a tract of land not exceeding 10 acres, in a square form, including the church and schoolhouse and graveyard at or near the Iowa village, which shall belong to said Iowa tribe of Indians in common,

subject to the conditions and limitations in said agreement expressed; that the chief of the Iowas may select an additional 10 acres, in a square form, for the use of said tribe in said reservation, conforming in boundaries to the legal subdivisions of land therein, which shall be held by said tribe in common, subject to the conditions and limitations as expressed in relation thereto; and

Whereas it is provided in the act of Congress approved February 13, 1891 (26 U. S. Statutes at Large, pp. 758, 759), section 7, accepting, ratifying, and confirming said agreements with the Sac and Fox Nation of Indians and the Iowa tribe of Indians—

That whenever any of the lands acquired by the agreements in this act ratified and confirmed shall by operation of law or proclamation of the President of the United States be open to settlement they shall be disposed of to actual settlers only, under the provisions of the homestead laws, except section 2301, which shall not apply: *Provided, however*, That each settler under and in accordance with the provisions of said homestead laws shall before receiving a patent for his homestead pay to the United States for the land so taken by him, in addition to the fees provided by law, the sum of $1.25 for each acre thereof; and such person, having complied with all the laws relating to such homestead settlement, may at his option receive a patent therefor at the expiration of twelve months from date of settlement upon said homestead; and any person otherwise qualified who has attempted to but for any cause failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon any of said lands.

And whereas by a certain other agreement with the Citizen band of Pottawatomie Indians, in said Territory, made on the 25th day of June, 1890, the said band of Indians ceded and absolutely surrendered to the United States all their title and interest in and to the lands in said Territory, and particularly described in Article I of said agreement, and provided that all allotments of land theretofore made, or then being made, or to be made, to members of said Citizen band of Pottawatomie Indians under the provisions of the general allotment act approved February 8, 1887, shall be confirmed; that in all allotments to be thereafter made no person shall have the right to select his or her allotment in sections 16 and 36 in any Congressional township, nor upon any land heretofore set apart in said tract of country for any use by the United States, or for schools, school-farm, or religious purposes; nor shall said sections 16 and 36 be subject to homestead entry, but shall be kept and used for school purposes; nor shall any lands set apart for any use of the United States, or for school, school-farm, or religious purposes, be subject to homestead entry, but shall be held by the United States for such purposes so long as the United States shall see fit to use them; and further, that the south half of section 7 and the north half of section 18, in township 6 north, range 5 east, theretofore set apart by a written agreement between said band of Indians and certain Catholic fathers for religious, school, and farm purposes, shall not be subject to allotment or homestead entry, but shall be held by the United States for the Sacred Heart Mission, the name under which said

association of fathers are conducting the church, school, and farm on said lands; and

Whereas by a certain agreement with the Absentee Shawnee Indians, in said Territory, made on the 26th day of June, 1890, said last-named Indians ceded, relinquished, and surrendered to the United States all their title and interest in and to the lands in said Territory, and particularly described in Article I of said agreement, provided that all allotments of lands theretofore made, or then being made, or to be made, to said Absentee Shawnees under the provisions of the general allotment act approved February 8, 1887, shall be confirmed; that in all allotments to be thereafter made no person shall have the right to select his or her allotment in sections 16 and 36 in any Congressional township, nor in any land heretofore set apart in said tract of country for any use by the United States, or for school, school-farm, or religious purposes; nor shall said sections 16 and 36 be subject to homestead entry, but shall be held by the United States for such purposes so long as the United States shall see fit to use them; and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming said agreements with the Citizen band of Pottawatomie Indians and the Absentee Shawnee Indians, approved March 3, 1891 (26 U. S. Statutes at Large, pp. 989–1044), section 16—

That whenever any of the lands acquired by either of the * * * foregoing agreements respecting lands in the Indian or Oklahoma Territory shall by operation of law or proclamation of the President of the United States be open to settlement they shall be disposed of to actual settlers only, under the provisions of the homestead and town-site laws, except section 2301 of the Revised Statutes of the United States, which shall not apply: *Provided*, *however*, That each settler on said lands shall before making a final proof and receiving a certificate of entry pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of $1.50 per acre, one-half of which shall be paid within two years; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid; and all the lands in Oklahoma are hereby declared to be agricultural lands, and proof of their nonmineral character shall not be required as a condition precedent to final entry.

And whereas allotments of land in severalty to said Sac and Fox Nation, said Iowa tribe, said Citizen band of Pottawatomies, and said Absentee Shawnee Indians have been made and approved, and provisional patents issued therefor, in accordance with law and the provisions of the beforementioned agreements with them respectively, and an additional 10 acres of land has been selected for the use of said Iowa tribe, to be held by said tribe in common, in accordance with the provisions of supplemental Article XII of the agreement with them; and

Whereas the lands acquired by the four several agreements hereinbefore mentioned have been divided into counties by the Secretary of the Interior, as required by said last-mentioned act of Congress before the

same shall be open to settlement, and lands have been reserved for county-seat purposes, as therein required; and

Whereas it is provided by act of Congress for temporary government of Oklahoma, approved May 2, 1890, that there shall be reserved public highways 4 rods wide between each section of land in said Territory, the section lines being the centers of said highways, but no deduction shall be made from cash payments from each quarter section by reason thereof; and

Whereas all the terms, conditions, and considerations required by said several agreements made respectively with said tribes of Indians hereinbefore mentioned, and of the laws relating thereto, precedent to opening said several tracts of land to settlement, have been, as I hereby declare, provided for, paid, and complied with:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned, also an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1890, and for other purposes," approved March 2, 1889, and by other the laws of the United States, and by said several agreements, do hereby declare and make known that all of the lands acquired from the Sac and Fox Nation of Indians, the Iowa tribe of Indians, the Citizen band of Pottawatomie Indians, and the Absentee Shawnee Indians by the four several agreements aforesaid, saving and excepting the lands allotted to the Indians as in said agreements provided, or otherwise reserved in pursuance of the provisions of said agreements and the said acts of Congress ratifying the same and other the laws relating thereto, will, at and after the hour of 12 o'clock noon (central standard time), Tuesday, the 22d day of this the present month of September, and not before, be opened to settlement, under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreements, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Sac and Fox, Iowa, Pottawatomie (and Absentee Shawnee) reservations, in Oklahoma Territory, opened to settlement by proclamation of the President dated September 18, 1891," and which schedule is made a part hereof.

Each entry shall be in square form as nearly as practicable; and no other lands in the Territory of Oklahoma are opened to settlement under this proclamation or the agreements ratifying the same.

Notice, moreover, is hereby given that it is by law enacted that until said lands are opened to settlement by proclamation no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire

any right thereto. The officers of the United States will be required to enforce this provision.

And further notice is hereby given that it has been duly ordered that the lands in the Territory of Oklahoma mentioned and included in this proclamation be, and the same are, attached to the Eastern and Oklahoma land districts in said Territory, severally, as follows:

1. All that portion of the Territory of Oklahoma commencing at the southwest corner of township 14 north, range 1 east; thence east on town line between townships 13 and 14 to the west boundary of the Creek country; thence north on said boundary line to the middle of main channel of the Cimarron River; thence up the Cimarron River, following the main channel thereof, to the Indian meridian; thence south on said meridian line to the place of beginning, is attached to the Eastern land district in Oklahoma Territory, the office of which is now located at Guthrie.

2. All that portion of said Territory commencing at the northwest corner of township 13 north, range 1 east; thence south on Indian meridian to the North Fork of the Canadian River; thence west up said river to the west boundary of the Pottawatomie Indian Reservation, according to Morrill's survey; thence south, following the line as run by O. T. Morrill under his contract of September 3, 1872, to the middle of the main channel of the Canadian River; thence east down the main channel of said river to the west boundary of the Seminole Indian Reservation; thence north with said west boundary to the North Fork of the Canadian River; thence east down said North Fork to the west boundary of the Creek Nation; thence north with said west boundary to its intersection with the line between townships 13 and 14 north of the Indian base; thence west on town line between townships 13 and 14 north to the place of beginning, is attached to the Oklahoma land district in said Territory, the office of which is now located at Oklahoma City.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of September A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal the timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public lands bearing forests, in any part of

the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservation and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Beginning at a point between sections three (3) and four (4) on the north boundary of township five (5) south, range eighty-seven (87) west of the sixth principal meridian in Colorado; thence north 12 miles; thence east to the southeast corner of township two (2) south, range eighty-six (86) west; thence north between ranges numbered eighty-five (85) and eighty-six (86) west to the base line; thence west along the base line to the southwest corner ot township one (1) north, range eighty-five (85) west; thence north between ranges numbered eighty-five (85) and eighty-six (86) west to a point between sections thirteen (13) and twenty-four (24) on the east boundary of township five (5) north, range eighty-six (86) west; thence west through the middle of township five (5) north to the center of township five (5) north, range ninety-one (91) west; thence south to a point between sections three (3) and four (4) on the north boundary of township two (2) north, range ninety-one (91) west; thence west six (6) miles to a point between sections three (3) and four (4) on the north boundary of township two (2) north, range ninety-two (92) west; thence south to a point on the base line between sections thirty-three (33) and thirty-four (34) of township one (1) north, range ninety-two (92) west; thence west along the base line to a point between sections three (3) and four (4) on the north boundary of township one (1) south, range ninety-two (92) west; thence south to a point between sections three (3) and four (4) on the north boundary of township two (2) south, range ninety-two (92) west; thence west to the northwest corner of township two (2) south, range ninety-three (93) west; thence south to the southwest corner of township three (3) south, range ninety-three (93) west; thence east to the northeast corner of township four (4) south, range ninety-two (92) west; thence south to the southeast corner of township four (4) south, range ninety-two (92) west; thence east to the place of beginning.

Excepting from the force and effect of this proclamation all land which may have been prior to the date hereof embraced in any valid entry or covered by a lawful filing duly made in the proper United States land office,

and all mining claims duly located and held according to the laws of the United States and local rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman or claimant continues to comply with the law under which the entry, filing, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 16th day of October, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

It is a very glad incident of the marvelous prosperity which has crowned the year now drawing to a close that its helpful and reassuring touch has been felt by all our people. It has been as wide as our country, and so special that every home has felt its comforting influence. It is too great to be the work of man's power and too particular to be the device of his mind. To God, the beneficent and the all-wise, who makes the labors of men to be fruitful, redeems their losses by His grace, and the measure of whose giving is as much beyond the thoughts of man as it is beyond his deserts, the praise and gratitude of the people of this favored nation are justly due.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do hereby appoint Thursday, the 26th day of November present, to be a day of joyful thanksgiving to God for the bounties of His providence, for the peace in which we are permitted to enjoy them, and for the preservation of those institutions of civil and religious liberty which He gave our fathers the wisdom to devise and establish and us the courage to preserve. Among the appropriate observances of the day are rest from toil, worship in the public congregation, the renewal of family ties about our American firesides, and thoughtful helpfulness toward those who suffer lack of the body or of the spirit.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 13th day of November, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory proof has been given to me that no tonnage or light-house dues, or other equivalent tax or taxes, are imposed upon vessels of the United States in the ports of the island of Tobago, one of the British West India Islands:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 11 of the act of Congress entitled "An act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," approved June 19, 1886, do hereby declare and proclaim that from and after the date of this my proclamation shall be suspended the collection of the whole of the tonnage duty which is imposed by said section of said act upon vessels entered in the ports of the United States from any of the ports of the island of Tobago.

Provided, That there shall be excluded from the benefits of the suspension hereby declared and proclaimed the vessels of any foreign country in whose ports the fees or dues of any kind or nature imposed on vessels of the United States, or the import or export duties on their cargoes, are in excess of the fees, dues, or duties imposed on the vessels of such country or on the cargoes of such vessels; but this proviso shall not be held to be inconsistent with the special regulation by foreign countries of duties and other charges on their own vessels, and the cargoes thereof, engaged in their coasting trade, or with the existence between such countries and other states of reciprocal stipulations founded on special conditions and equivalents, and thus not within the treatment of American vessels under the most-favored-nation clause in treaties between the United States and such countries.

And the suspension hereby declared and proclaimed shall continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued in the said ports of the island of Tobago and no longer.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 2d day of December, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

Secretary of State.

EXECUTIVE ORDERS.

EXECUTIVE MANSION,
Washington, D. C., January 19, 1891.

The death of George Bancroft, which occurred in the city of Washington on Saturday, January 17, at 3.40 o'clock p. m., removes from among the living one of the most distinguished Americans. As an expression of the public loss and sorrow the flags of all the Executive Departments at Washington and the public buildings in the cities through which the funeral party is to pass will be placed at half-mast on to-morrow and until the body of this eminent statesman, scholar, and historian shall rest in the State that gave him to his country and to the world.

By direction of the President:

ELIJAH W. HALFORD, *Private Secretary.*

AMENDMENT OF CIVIL-SERVICE RULES.

JANUARY 26, 1891.

Special Departmental Rule No. 1 is hereby amended by adding to the exceptions from examination therein declared the following:

In the Department of Agriculture, in the office of the Secretary, division of illustration and engraving: One artist.

BENJ. HARRISON.

DEPARTMENT OF STATE,
Washington, January 30, 1891.

SIR:* The Hon. William Windom, Secretary of the Treasury of the United States, died suddenly last night, in the city of New York, at the hour of eleven minutes past 10 o'clock, in the sixty-fourth year of his age. Thus has passed away a man of pure life, an official of stainless integrity, distinguished by long and eminent service in both branches of Congress and by being twice called to administer the national finances. His death has caused deep regret throughout the country, while to the President and those associated with him in the administration of the Government it comes as a personal sorrow.

The President directs that all the Departments of the executive branch of the Government and the officers subordinate thereto shall manifest due respect to the memory of this eminent citizen in a manner consonant with the dignity of the office which he has honored by his devotion to public duty.

The President further directs that the Treasury Department in all its branches in this capital be draped in mourning for the period of thirty days, that on the day of the funeral the several Executive Departments

* Addressed to the heads of the Executive Departments, etc.

shall be closed, and that on all public buildings throughout the United States the national flag shall be displayed at half-mast.

Very respectfully,

JAMES G. BLAINE.

EXECUTIVE MANSION, *February 13, 1891.*

To the Heads of the Executive Departments:

In token of respect to the memory of Admiral David D. Porter, who died this morning, the President directs that the national flag be displayed at half-mast upon all public buildings throughout the United States until after his funeral shall have taken place, and that on the day of the funeral public business in the Departments at Washington be suspended.

E. W. HALFORD, *Private Secretary.*

GENERAL ORDERS No. 16.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, February 14, 1891.

I. The following order of the War Department is published to the Army:

WAR DEPARTMENT,
Washington, February 14, 1891.

The death of General Sherman is hereby announced in the fitting words of the President in his message to Congress:

[For message see p. 135.]

The following Executive order will be published to the Army:

EXECUTIVE MANSION,
Washington, D. C., February 14, 1891.

It is my painful duty to announce to the country that General William Tecumseh Sherman died this day at 1 o'clock and 50 minutes p. m., at his residence in the city of New York. The Secretary of War will cause the highest military honors to be paid to the memory of this distinguished officer. The national flag will be floated at half-mast over all public buildings until after the burial, and the public business will be suspended in the Executive Departments at the city of Washington and in the city where the interment takes place on the day of the funeral and in all places where public expression is given to the national sorrow during such hours as will enable every officer and employee to participate therein with their fellow-citizens.

BENJ. HARRISON.

The Major-General Commanding will issue the necessary orders to the Army.

It is ordered, That the War Department be draped in mourning for the period of thirty days, and that all business be suspended therein on the day of the funeral.

L. A. GRANT, *Acting Secretary of War.*

II. On the day of the funeral the troops at every military post will be paraded and this order read to them, after which all labors for the day will cease. The national flag will be displayed at half-staff from the time of the receipt of this order until the close of the funeral. On the day of the funeral a salute of seventeen guns will be fired at half-hour intervals, commencing at 8 o'clock a. m. The officers of the Army will wear the usual badges of mourning, and the colors of the several regiments and battalions will be draped in mourning for a period of six months.

The day and hour of the funeral will be communicated to department commanders by telegraph, and by them to their subordinate commanders. Other necessary orders will be issued hereafter relative to the appropriate funeral ceremonies.

By command of Major-General Schofield:

J. C. KELTON, *Adjutant-General.*

GENERAL ORDER.

NAVY DEPARTMENT, *February 16, 1891.*

The following Executive order, announcing the death of General William Tecumseh Sherman, is published for the information of the Navy and the Marine Corps:

[For Executive order see preceding page.]

In accordance with the order of the President, the Navy Department will be closed and all business suspended therein on the day of the funeral, and the flag at all yards and stations will be displayed at half-mast until after the burial of General Sherman, and in all places where public expression is given to the national sorrow business will be suspended at navy-yards or stations during such hours as will enable officers and employees of the Navy to participate therein with their fellow-citizens.

B. F. TRACY, *Secretary of the Navy.*

AMENDMENT OF CIVIL-SERVICE RULES.

FEBRUARY 18, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Department of Agriculture, in the office of the Secretary: Private secretary to the chief of the division of statistics.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

FEBRUARY 21, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Department of the Treasury, in the Coast and Geodetic Survey: Clerk to act as confidential clerk and cashier to the disbursing officer.

In the Post-Office Department, office of Assistant Attorney-General: Confidential clerk to the Assistant Attorney-General.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 26, 1891.

In accordance with an act of Congress approved September 27, 1890, the following limits to the punishment of enlisted men, together with the accompanying regulations, are established for the government in time of peace of all courts-martial, and will take effect thirty days after the date of this order:

I. Subject to the modifications authorized in subdivision 3 of this section, the punishment for desertion shall not exceed the following:

1. In the case of a soldier who surrenders—

(*a*) When such surrender is made within thirty days after desertion, confinement at hard labor, with forfeiture of pay and allowances, for three months.

(*b*) When such surrender is made after an absence of more than thirty days and not more than ninety days, confinement at hard labor, with forfeiture of pay and allowances, for six months.

(*c*) When such surrender is made after an absence of more than ninety days, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for eighteen months: *Provided*, That in the case of a deserter who had not been more than three months in the service the confinement shall not exceed ten months.

2. In the case of a soldier who does not surrender—

(*a*) When at the time of desertion he shall have been less than three months in the service, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for one year.

(*b*) When at the time of desertion he shall have been three months or more, but less than six months, in the service, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for eighteen months.

(*c*) When at the time of desertion he shall have been six months or more in the service, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for two years and six months.

3. The foregoing limitations will be subject to modification under the following conditions:

(*a*) The punishment of a deserter may be increased by one year of

confinement at hard labor in consideration of each previous conviction of desertion, and also by dishonorable discharge and forfeiture of all pay and allowances when not already authorized.

(*b*) The punishment for desertion when joined in by two or more soldiers in the execution of a conspiracy, or for desertion in the presence of an outbreak of Indians or of any unlawful assemblage which the troops may be opposing, shall not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for five years.

II. Except as herein otherwise indicated, punishments shall not exceed the limits prescribed in the following table:

Offenses.	Limit of punishment.
Under seventeenth article of war.	
Selling horse or arms, either or both	Three years' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Selling accouterments	Four months' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Selling clothing	Two months' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Losing or spoiling horse or arms through neglect.	Four months' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Losing or spoiling accouterments or clothing through neglect.	One month's confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Under twentieth article of war.	
Behaving himself with disrespect toward his commanding officer.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under twenty-fourth article of war.	
Refusal to obey or using violence to officer or noncommissioned officer while quelling quarrels or disorders.	Dishonorable discharge, with forfeiture of all pay and allowances, and imprisonment for 2 years.
Under thirty-first article of war.	
Lying out of quarters	Forfeiture of $2; corporal, $3; sergeant, $4.
Under thirty-second article of war.	
Absence without leave—	
Less than 1 hour (not including absence from a roll call).	Forfeiture of 50 cents; corporal, $1; sergeant, $2.
Less than 1 hour (including absence from a roll call).	Forfeiture of $1; corporal, $2; sergeant, $3; first sergeant or noncommissioned officer of higher grade, $4.
From 1 to 6 hours	Forfeiture of $2; corporal, $3; sergeant, $4; first sergeant or noncommissioned officer of higher grade, $5.
From 6 to 12 hours	Forfeiture of $3; corporal, $4; sergeant, $6; first sergeant or noncommissioned officer of higher grade, $7.
From 12 to 24 hours	Forfeiture of $5; corporal, $6; sergeant, $7; first sergeant or noncommissioned officer of higher grade, $10.

*In addition to the stoppages "sufficient for repairing the loss or damage," which the law requires the court-martial to adjudge. The court's action under this requirement in the case of sale or loss through neglect of clothing shall be limited to a confirmation of the charge made against the offender on his clothing account.

THE "MAINE" AT ANCHOR IN HAVANA HARBOR

THE "MAINE" AT ANCHOR IN HAVANA HARBOR.

On January 25, 1898, our second-class battleship, "Maine," entered Havana Harbor. The Spanish forts and the vessels lying there went through the formalities required by naval etiquette. Then she proceeded to the anchorage designated for her by the Spanish authorities.

On pages 6277 and 6290 President McKinley writes the official record of prior and subsequent events connected with the melancholy fate of the vessel.

Offenses.	Limit of punishment.
Under thirty-second article of war—continued.	
Absence without leave—continued.	
From 24 to 48 hours	Forfeiture of $6 and 5 days' confinement at hard labor. For corporal, forfeiture of $8; sergeant, $10; first sergeant or noncommissioned officer of higher grade, $12; or for all noncommissioned officers, reduction.
From 2 to 9 days	Forfeiture of $10 and 10 days' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.
From 10 to 29 days	Forfeiture of $20 and 1 month's confinement at hard labor; for noncommissioned officer, reduction in addition thereto.
From 30 to 90 days	Three months' confinement at hard labor and forfeiture of $10 per month for same period; for noncommissioned officer, reduction in addition thereto.
For more than 90 days	Dishonorable discharge and forfeiture of all pay and allowances and 3 months' confinement at hard labor.
Under thirty-third article of war.	
Failure to repair at the time fixed, etc., to the place of parade for—	
Reveille or retreat roll call	Forfeiture of 50 cents; corporal, $1; sergeant, $2; first sergeant, $3.
Guard detail	Forfeiture of $5; corporal, $8; sergeant, $10.
Fatigue detail	Forfeiture of $2; corporal, $3; sergeant, $5.
Dress parade	
The weekly inspection	
Target practice	
Drill	
Guard mounting (by musician)	
Stable duty	
Under thirty-eighth article of war.	
Drunkenness on—	
Guard	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Duty as company cook	Forfeiture of $10.
Extra or special duty	Forfeiture of $6; for noncommissioned officer, reduction and forfeiture of $10.
At drill	
At target practice	
At parade	
At inspection	
At inspection of company guard detail	
At stable duty	
Under fortieth article of war.	
Quitting guard	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under fifty-first article of war.	
Persuading soldiers to desert	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under sixtieth article of war	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
Under sixty-second article of war.	
Manslaughter	Dishonorable discharge, forfeiture of all pay and allowances, and 10 years' imprisonment.

Offenses.	Limit of punishment.
Under sixty-second article of war—continued.	
Assault with intent to kill	Dishonorable discharge, forfeiture of all pay and allowances, and 10 years' imprisonment.
Burglary	Dishonorable discharge, forfeiture of all pay and allowances, and 5 years' imprisonment.
Forgery	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
Perjury	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
False swearing	Dishonorable discharge, forfeiture of all pay and allowances, and 2 years' imprisonment.
Robbery	Dishonorable discharge, forfeiture of all pay and allowances, and 6 years' imprisonment.
Larceny or embezzlement of property of the value of—*	
More than $100	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
$100 or less and more than $50	Dishonorable discharge, forfeiture of all pay and allowances, and 3 years' imprisonment.
$50 or less and more than $20	Dishonorable discharge, forfeiture of all pay and allowances, and 2 years' imprisonment.
$20 or less	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's imprisonment.
Disobedience of orders, involving willful defiance of the authority of a noncommissioned officer in charge of a guard or party.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Using threatening or insulting language or behaving in an insubordinate manner to a noncommissioned officer while in the execution of his office.	One month's confinement at hard labor and forfeiture of $10; for noncommissioned officer, reduction in addition thereto.
Absence from fatigue duty	Forfeiture of $4; corporal, $5; sergeant, $6.
Absence from extra or special duty.	Forfeiture of $4; corporal, $5; sergeant, $6.
Absence from duty as company or hospital cook.	Forfeiture of $10.
Introducing liquor into post or camp in violation of standing orders.	Forfeiture of $3; for noncommissioned officer, reduction and forfeiture of $5.
Drunkenness at post or in quarters.	Forfeiture of $3; for noncommissioned officer, reduction and forfeiture of $5.
Drunkenness and disorderly conduct, causing the offender's arrest and conviction by civil authorities at a place within 10 miles of his station.	Forfeiture of $10 and 7 days' confinement at hard labor; for noncommissioned officer, reduction and forfeiture of $12.
Noisy or disorderly conduct in quarters.	Forfeiture of $4; corporal, $7; sergeant, $10.
Abuse by noncommissioned officer of his authority over an inferior.	Reduction, 3 months' confinement at hard labor, and forfeiture of $10 per month for the same period.
Noncommissioned officer encouraging gambling.	Reduction and forfeiture of $5.
Noncommissioned officer making false report.	Reduction, forfeiture of $8, and 10 days' confinement at hard labor.
Sentinel allowing a prisoner under his charge to escape through neglect.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period.

*In specifications to charges of larceny or embezzlement the value of the property shall be stated.

Offenses.	Limit of punishment.
Under sixty-second article of war—continued.	
Sentinel willfully suffering prisoner under his charge to escape.	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's imprisonment.
Sentinel allowing a prisoner under his charge to obtain liquor.	Two months' confinement at hard labor and forfeiture of $10 per month for the same period.
Sentinel or member of guard drinking liquor with prisoners.	Two months' confinement at hard labor and forfeiture of $10 per month for the same period.
Disrespect or affront to a sentinel..	Two months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Resisting or disobeying sentinel in lawful execution of his duty.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Lewd or indecent exposure of person.	Three months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.

III. (1) When a soldier shall be found guilty of an offense cognizable when committed for the first time by an inferior court-martial, his punishment therefor may exceed the prescribed limit by one-half if it shall appear that during his current enlistment and within two years preceding his trial he has been once convicted of one offense or more; it may be doubled if he has been twice so convicted, and it may be increased by one-half of the prescribed limit for every such previous conviction: *Provided*, That upon proof of five or more previous convictions the punishment may be that authorized for a fifth conviction, or dishonorable discharge with forfeiture of all pay and allowances. When found guilty of an offense cognizable only by a general court-martial, and on proof of five or more previous convictions within the two years, dishonorable discharge with forfeiture of all pay and allowances may be added to any confinement at hard labor. And when a noncommissioned officer shall be found guilty of an offense not punishable by reduction, reduction may be added to the punishment if it shall appear that he has been convicted of a military offense within one year and during his current enlistment.

(2) After arriving at the findings a court-martial may be opened to receive evidence of previous convictions. These convictions must be proved by the records of previous trials or by duly authenticated orders promulgating the same, showing the actual offenses of which the soldier was convicted, except in the cases of convictions by summary court, when a duly authenticated copy of the record of said court shall be deemed sufficient proof. Charges forwarded to the authority ordering a general court-martial or submitted to a summary garrison or regimental court must be accompanied by the proper evidence of such previous convictions as may have to be considered in determining upon a sentence. Paragraphs 1017 and 1018 of the Regulations are superseded by this order.

IV. This order prescribes the *maximum* limit of punishment for the offenses named, and this limit is intended for those cases where the severest punishment should be awarded. In other cases the punishment must be graded down according to the extenuating circumstances. Offenses not herein provided for remain punishable as authorized by the Articles of War and the custom of the service.

V. Summary courts are subject to the restrictions named in the eighty-third article of war. Soldiers against whom charges may be preferred for trial by summary court shall not be confined in the guardhouse, but shall be placed in arrest in quarters before and during trial and while awaiting sentence, unless in particular cases restraint may be deemed necessary.

VI. The following substitutions for punishments named in Section II of this order are authorized, at the discretion of the court:

Detention of pay to the extent of four times the amount of the forfeiture; two days' confinement at hard labor for $1 of forfeited pay; one day's solitary confinement on bread and water diet for two days' confinement at hard labor or for $1 of forfeited pay: *Provided*, That a noncommissioned officer not sentenced to reduction shall not be subject to confinement: *And provided*, That solitary confinement shall not exceed fourteen days at one time nor be repeated until fourteen days have elapsed, and shall not exceed eighty-four days in one year. Wherever the limit herein prescribed for an offense or offenses may be brought within the punishing power of inferior courts-martial, as defined by the eighty-third article of war, by substitution of punishment under the provisions of this section, the aforesaid courts shall be deemed to have jurisdiction of such offense or offenses.

VII. Sergeants shall not if they object thereto be brought to trial before regimental, garrison, or summary courts-martial without the authority of the officer competent to order their trial by general court-martial; nor shall sergeants of the post noncommissioned staff be reduced, but they may be dishonorably discharged whenever reduction is included in the limit of punishment. Paragraphs 105 and 254 of the Regulations, the latter as amended by General Orders, No. 67, series of 1890, Adjutant-General's Office, are modified accordingly.

BENJ. HARRISON.

By the President:

REDFIELD PROCTOR, *Secretary of War.*

AMENDMENT OF CIVIL-SERVICE RULES.

MARCH 4, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Department of Agriculture, in the office of the Secretary: Clerk to act as appointment clerk.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

MARCH 16, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Post-Office Department, office of the First Assistant Postmaster-General: Assistant superintendent of free delivery.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

APRIL 3, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Treasury Department, office of the Secretary: One clerk in the office of the disbursing clerk.

BENJ. HARRISON.

CIVIL SERVICE.—CLASSIFICATION OF INDIAN SERVICE.

DEPARTMENT OF THE INTERIOR,
Washington, April 13, 1891.

By direction of the President of the United States and in accordance with the third clause of section 6 of an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883—

It is ordered, That all physicians, school superintendents and assistant superintendents, school-teachers, and matrons in the Indian service be, and they are hereby, arranged in the following classes, without regard to salary or compensation:

Class 1. Physicians.

Class 2. School superintendents and assistant superintendents.

Class 3. School-teachers.

Class 4. Matrons.

Provided, That no person who may be required by law to be appointed to an office by and with the advice and consent of the Senate, and that no person who may be employed merely as a laborer or workman or in connection with any contract schools, shall be considered as within this classification, and no person so employed shall be assigned to the duties of a classified place.

It is further ordered, That no person shall be admitted to any place not excepted from examination by the civil-service rules in any of the classes above designated until he or she shall have passed an appropriate examination under the United States Civil Service Commission and his or her eligibility has been certified to by said Commission or the appropriate board of examiners.

JOHN W. NOBLE, *Secretary.*

EXECUTIVE MANSION, *April 13, 1891.*

The SECRETARY OF THE INTERIOR:

I approve of the within classification, and if you see no reason to suggest any further modification you will please put it in force.

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

APRIL 13, 1891.

Clause (*c*) of section 2 of General Rule III is hereby revoked, and clauses (*d*), (*e*), (*f*), (*g*), and (*h*) are lettered, respectively, (*c*), (*d*), (*e*), (*f*), and (*g*).

BENJ. HARRISON.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

EXECUTIVE MANSION, *May 25, 1891.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Saturday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers and sailors who fell in defense of the Union during the War of the Rebellion.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., July 6, 1891.

To the People of the United States:

The President, with a profound feeling of sorrow, announces the death of Hannibal Hamlin, at one time Vice-President of the United States, who died at Bangor, Me., on the evening of Saturday, July 4.

Few men in this country have filled more important and more distinguished public positions than Mr. Hamlin, and in recognition of his many eminent and varied services and as an expression of the great respect and reverence which are felt for his memory it is ordered that the national flag be displayed at half-mast upon the public buildings of the United States on the day of his funeral.

BENJ. HARRISON.

By the President:
WILLIAM F. WHARTON,
Acting Secretary of State.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *August 6, 1891.*

The civil-service rules are hereby amended as follows:

GENERAL RULE II.

In line 1 strike out the word "four" and insert in lieu thereof the word "five." Add at the end of the rule the following:

5. The classified Indian service.

GENERAL RULE III.

Strike out paragraphs 1 and 2 of section 6 of General Rule III and insert in lieu thereof the following:

So far as practicable and useful, competitive examinations shall be established in the classified civil service to test fitness for promotion, under such regulations as the Commission may make. Until such regulations have been applied to any part of the classified service promotions therein shall be made in the manner prescribed by the rule applicable thereto.

DEPARTMENTAL RULE VI.

Strike out the first sentence of section 6 and transfer the remaining sentence to section 5. Change the numbers of sections 7, 8, 9, and 10 to 6, 7, 8, and 9, respectively.

CUSTOMS RULE III.

Strike out the first sentence of section 5 and transfer the remaining sentence to section 4. Change the numbers of sections 6, 7, 8, and 9 to 5, 6, 7, and 8, respectively.

POSTAL RULE III.

Strike out the first sentence of section 5 and transfer the remaining sentence to section 4. Change the numbers of sections 6, 7, 8, and 9 to 5, 6, 7, and 8, respectively.

RAILWAY MAIL RULE III.

Strike out the first sentence of section 7 and transfer the remaining sentence to section 4. Change the numbers of sections 8, 9, 10, 11, and 12 to 7, 8, 9, 10, and 11, respectively.

RAILWAY MAIL RULE II.

Insert an additional clause to section 5, as follows:

(*f*) Transfer clerks at junction points or stations where not more than two such clerks are employed.

RAILWAY MAIL RULE IV.

Insert an additional proviso at the end of clause (*b*) of section 2, as follows:

Provided further, That on a line on which the service does not require the full time of a clerk, and one can be employed jointly with the railroad company, the appointment may be made without examination and certification, with the consent of the Commission, upon a statement of the facts by the General Superintendent; but no clerk so appointed shall be eligible for transfer or appointment to any other place in the service.

In section 6, line 3, strike out the word "twenty" and insert in lieu thereof the word "ten."

In section 7, line 6, strike out the word "thirty" and insert in lieu thereof the word "sixty;" in the same line strike out the word "to" and insert in lieu thereof the words "in periods of;" in line 7 strike out the words "who have been in the railway mail service."

BENJ. HARRISON.

Civil Service.—Indian Rules.

INDIAN RULE I.

The classified Indian service shall include all the physicians, school superintendents, assistant superintendents, school-teachers, and matrons in that service, classified under the provisions of section 6 of the act to regulate and improve the civil service of the United States, approved January 16, 1883.

INDIAN RULE II.

1. To test fitness for admission to the classified Indian service examinations of a practical character shall be provided on such subjects as the Commission may direct for physician, superintendent, assistant superintendent, teachers, and matrons.

2. The following age limitations shall apply to applicants for examination for the classified Indian service: For physician, not under 25 years of age nor over 45; for superintendent, not under 25 nor over 50; for assistant superintendent and for teacher, not under 20 nor over 50; for matron, not under 25 nor over 55: *Provided*, That these limitations shall not apply to the wives of superintendents of Indian schools who apply for the position of matron, nor shall the maximum limitations apply to persons allowed preference under section 1754, Revised Statutes, by the Commission.

3. Blank forms of application shall be furnished by the Commission, and the date of reception and also of approval by the Commission of each application shall be noted on the application paper.

INDIAN RULE III.

1. The papers of every examination shall be marked under regulations made by the Commission. Each competitor shall be graded on a scale of 100, according to the general average determined by the markings.

2. Immediately after the general average shall have been ascertained each competitor shall be notified that he has passed or has failed to pass.

3. A competitor who has failed to pass an examination may, with the consent of the Commission, be allowed reexamination at any time within six months from the date of failure without filing a new application; but if he be not allowed reexamination within six months he shall be required to file a new application before being again examined.

4. No eligible shall be allowed reexamination during the period of his eligibility unless he shall furnish satisfactory evidence to the Commission that at the time of his examination, because of illness or other good cause, he was incapable of doing himself justice; and his rating on such reexamination shall cancel and be a substitute for his rating on his former examination.

5. All competitors whose claim to preference under section 1754 of the Revised Statutes have been allowed by the Commission who attain a general average of 65 per cent or over, and all other competitors who attain a general average of 70 per cent or over, shall be eligible for appointment to the place for which they were examined. The names of all the competitors thus rendered eligible shall be entered in the order of grade on the proper register of eligibles.

6. When two or more eligibles are of the same grade, preference in certification shall be determined by the order in which the application papers are filed.

7. For the Indian service there shall be four districts and a separate register of eligibles for each grade of examination for each district, the names of males and females being listed separately on each register. The districts shall be comprised as follows: No. 1, of the States of Michigan, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, South Dakota, Montana, and Wyoming; No. 2, of the States of Idaho, Washington, Oregon, Nevada, and that part of California lying north of the thirty-seventh parallel of latitude, and the Territory of Utah; No. 3, of that part of California lying south of the thirty-seventh parallel of latitude, the Territories of Arizona, New Mexico, Oklahoma, the Indian Territory, and the States of Colorado, Kansas, Missouri, Arkansas, Louisiana, and Texas; No. 4, of all the States of the United States not embraced in any of the foregoing districts, together with the District of Columbia. Upon the written request of any eligible his name shall be entered upon the register of any one or more of the districts other than that in which he resides: *Provided*, That he shall state in writing his willingness to accept service wherever assigned in any such district.

8. The period of eligibility to appointment shall be one year from the date on which the name of the eligible is entered on the register unless otherwise determined by regulation of the Commission.

INDIAN RULE IV.

1. All vacancies, unless filled by promotion, transfer, or reappointment, shall be filled in the following manner:

(*a*) The Commissioner of Indian Affairs, through the Secretary of the Interior, shall, in form and manner to be prescribed by the Commission, request the certification to him of male or female eligibles from the district in which the vacancy exists.

(*b*) If fitness for the vacant place is tested by competitive examination, the Commission shall certify from the proper register of the district in which the vacancy exists the names of the three eligibles thereon of the sex called for having the highest averages: *Provided*, That the eligibles upon any register who have been allowed preference under section 1754 of the Revised Statutes shall be certified according to their grade before all other eligibles thereon: *And provided further*, That if the vacancy is in the grade of matron or teacher, and the wife of the superintendent of the school in which the vacancy exists is an eligible, she may be given preference in certification if the appointing officer so requests.

2. Of the three names certified to him the appointing officer shall select one, and if at the time of making this selection there are more vacancies than one he may select more than one: *Provided*, That if the appointing officer to whom certification has been made shall object in writing to any eligible named in the certificate, stating that because of physical incapacity or for other good cause particularly specified such eligible is not capable of properly performing the duties of the vacant place, the Commission may, upon investigation and ascertainment of the fact that the objection made is good and well founded, direct the certification of another eligible in place of the one objected to.

3. Each person thus designated for appointment shall be notified, and upon indicating acceptance shall be appointed for a probationary period—if a physician, for six months, and if a school employee, to expire at the end of the then current school year—at the end of which period, if his conduct and capacity be satisfactory to the appointing officer, he shall receive absolute appointment; but if his conduct and capacity be not satisfactory to said officer he shall be so notified, and this notification shall be his discharge from the service: *Provided*, That any probationer may be discharged during probation for misconduct or evident unfitness or incapacity.

4. The Commissioner of Indian Affairs shall require the officer under whom a probationer may be serving to carefully observe and report in writing upon the services rendered by and the character and qualifications of such probationer as to punctuality, industry, habits, ability, and adaptability. These reports shall be preserved on file, and the Commission may prescribe the form and manner in which they shall be made.

5. In case of the sudden occurrence of a vacancy in any school during a school term which the public interest requires to be immediately filled, the Commissioner of Indian Affairs is authorized, in his discretion, to provide for the temporary filling of the same until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule, and when such regular appointment is made the temporary appointment shall terminate. All temporary appointments made under this authority and their termination shall at once be reported to the Commission.

INDIAN RULE V.

Until promotion regulations shall have been applied to the classified Indian service promotions therein may be made upon any test of fitness determined upon by the promoting officer if not disapproved by the Commission: *Provided*, That preference in promotion in any school shall be given to those longest in the service unless there are good reasons to the contrary; and when such reasons prevail they shall, through the proper channels, be reported to the Commission: *And provided further*, That no one shall be promoted to any grade he could not enter by original appointment under the minimum age limitation applied thereto by Indian Rule II, section 2, and that no one shall be promoted to the grade of physician from any other grade.

INDIAN RULE VI.

Subject to the conditions stated in Rule IV, transfers may be made after absolute appointment from one school to another and from one district to another under such regulations as the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may prescribe.

INDIAN RULE VII.

Upon the requisition of the Commissioner of Indian Affairs, through the Secretary of the Interior, the Commission shall certify for reinstatement in a grade or class no higher than that in which he was formerly employed any person who within one year next preceding the date of the requisition has through no delinquency or misconduct been separated from the classified Indian service: *Provided*, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service of the United States in the late War of the Rebellion and was honorably discharged therefrom, without regard to the length of time he has been separated from the service.

INDIAN RULE VIII.

The Commissioner of Indian Affairs shall report to the Commission—

(*a*) Every probational and every absolute appointment in the classified Indian service.

(*b*) Every refusal to make an absolute appointment and the reason therefor, and every refusal to accept an appointment.

(*c*) Every separation from the classified Indian service and the cause of such separation, whether death, resignation, or dismissal.

(*d*) Every restoration to the classified Indian service.

These rules shall take effect October 1, 1891.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

OCTOBER 9, 1891.

General Rule III, clause 6, is hereby amended by striking out the words "under such regulations as the Commission may make" and substituting therefor the following: "under regulations to be approved by the President;" so that as amended the clause will read as follows:

So far as practicable and useful competitive examinations shall be established in the classified civil service to test fitness for promotion under regulations to be approved by the President.

BENJ. HARRISON.

Whereas civil-service rules for the Indian service were approved to take effect October 1, 1891; and

Whereas it is represented to me by the Civil Service Commission in a communication of this date that no persons have as yet been examined for appointment to that service, and that it seems probable that complete arrangements for putting said rules into full effect will not be made sooner than March 1, 1892:

It is therefore ordered, That said Indian rules shall take effect March 1, 1892, instead of October 1, 1891: *Provided*, That said rules shall become operative and take effect in any district of the Indian service as soon as an eligible register for such district shall be provided, if it shall be prior to the date above fixed.

EXECUTIVE MANSION, *October 13, 1891.*

Upon the recommendation of the Commission the foregoing order is approved.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

NOVEMBER 24, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination the following:

In the Department of the Treasury, in the Bureau of Statistics: One confidential clerk to the Chief of the Bureau.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, December 4, 1891.

SIR:* In my message to the first session of the Fifty-first Congress I said:

I have suggested to the heads of the Executive Departments that they consider whether a record might not be kept in each bureau of all those elements that are covered by the terms "faithfulness" and "efficiency," and a rating made showing the relative merits of the clerks of each class, this rating to be regarded as a test of merit in making promotions.

* Addressed to the heads of the Executive Departments.

In some of the Departments this suggestion has been acted upon in part at least, and I now direct that in your Department a plan be at once devised and put in operation for keeping an efficiency record of all persons within the classified service, with a view to placing promotions wholly upon the basis of merit.

It is intended to make provision for carrying into effect the stipulations of the civil-service law in relation to promotions in the classified service. To that end the rule requiring compulsory examination has been rescinded. In my opinion the examination for promotion of those who present themselves should be chiefly, if not wholly, upon their knowledge of the work of the bureau or Department to which they belong and the record of efficiency made by them during their previous service. I think the records of efficiency kept from day to day should be open to the inspection of the clerks.

Very respectfully, yours.

BENJ. HARRISON.

THIRD ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 9, 1891.*

To the Senate and House of Representatives:

The reports of the heads of the several Executive Departments, required by law to be submitted to me, which are herewith transmitted, and the reports of the Secretary of the Treasury and the Attorney-General, made directly to Congress, furnish a comprehensive view of the administrative work of the last fiscal year relating to internal affairs. It would be of great advantage if these reports could have an attentive perusal by every member of Congress and by all who take an interest in public affairs. Such a perusal could not fail to excite a higher appreciation of the vast labor and conscientious effort which are given to the conduct of our civil administration.

The reports will, I believe, show that every question has been approached, considered, and decided from the standpoint of public duty and upon considerations affecting the public interests alone. Again I invite to every branch of the service the attention and scrutiny of Congress.

The work of the State Department during the last year has been characterized by an unusual number of important negotiations and by diplomatic results of a notable and highly beneficial character. Among these are the reciprocal trade arrangements which have been concluded, in the exercise of the powers conferred by section 3 of the tariff law, with the Republic of Brazil, with Spain for its West India possessions, and with Santo Domingo. Like negotiations with other countries have been much

advanced, and it is hoped that before the close of the year further definitive trade arrangements of great value will be concluded.

In view of the reports which had been received as to the diminution of the seal herds in the Bering Sea, I deemed it wise to propose to Her Majesty's Government in February last that an agreement for a closed season should be made pending the negotiations for arbitration, which then seemed to be approaching a favorable conclusion. After much correspondence and delays, for which this Government was not responsible, an agreement was reached and signed on the 15th of June, by which Great Britain undertook from that date and until May 1, 1892, to prohibit the killing by her subjects of seals in the Bering Sea, and the Government of the United States during the same period to enforce its existing prohibition against pelagic sealing and to limit the catch by the fur-seal company upon the islands to 7,500 skins. If this agreement could have been reached earlier in response to the strenuous endeavors of this Government, it would have been more effective; but coming even as late as it did it unquestionably resulted in greatly diminishing the destruction of the seals by the Canadian sealers.

In my last annual message I stated that the basis of arbitration proposed by Her Majesty's Government for the adjustment of the long-pending controversy as to the seal fisheries was not acceptable. I am glad now to be able to announce that terms satisfactory to this Government have been agreed upon and that an agreement as to the arbitrators is all that is necessary to the completion of the convention. In view of the advanced position which this Government has taken upon the subject of international arbitration, this renewed expression of our adherence to this method for the settlement of disputes such as have arisen in the Bering Sea will, I doubt not, meet with the concurrence of Congress.

Provision should be made for a joint demarcation of the frontier line between Canada and the United States wherever required by the increasing border settlements, and especially for the exact location of the water boundary in the straits and rivers.

I should have been glad to announce some favorable disposition of the boundary dispute between Great Britain and Venezuela touching the western frontier of British Guiana, but the friendly efforts of the United States in that direction have thus far been unavailing. This Government will continue to express its concern at any appearance of foreign encroachment on territories long under the administrative control of American States. The determination of a disputed boundary is easily attainable by amicable arbitration where the rights of the respective parties rest, as here, on historic facts readily ascertainable.

The law of the last Congress providing a system of inspection for our meats intended for export, and clothing the President with power to exclude foreign products from our market in case the country sending them should perpetuate unjust discriminations against any product of the

United States, placed this Government in a position to effectively urge the removal of such discriminations against our meats. It is gratifying to be able to state that Germany, Denmark, Italy, Austria, and France, in the order named, have opened their ports to inspected American pork products. The removal of these restrictions in every instance was asked for and given solely upon the ground that we have now provided a meat inspection that should be accepted as adequate to the complete removal of the dangers, real or fancied, which had been previously urged. The State Department, our ministers abroad, and the Secretary of Agriculture have cooperated with unflagging and intelligent zeal for the accomplishment of this great result. The outlines of an agreement have been reached with Germany looking to equitable trade concessions in consideration of the continued free importation of her sugars, but the time has not yet arrived when this correspondence can be submitted to Congress.

The recent political disturbances in the Republic of Brazil have excited regret and solicitude. The information we possessed was too meager to enable us to form a satisfactory judgment of the causes leading to the temporary assumption of supreme power by President Fonseca; but this Government did not fail to express to him its anxious solicitude for the peace of Brazil and for the maintenance of the free political institutions which had recently been established there, nor to offer our advice that great moderation should be observed in the clash of parties and the contest for leadership. These counsels were received in the most friendly spirit, and the latest information is that constitutional government has been reestablished without bloodshed.

The lynching at New Orleans in March last of eleven men of Italian nativity by a mob of citizens was a most deplorable and discreditable incident. It did not, however, have its origin in any general animosity to the Italian people, nor in any disrespect to the Government of Italy, with which our relations were of the most friendly character. The fury of the mob was directed against these men as the supposed participants or accessories in the murder of a city officer. I do not allude to this as mitigating in any degree this offense against law and humanity, but only as affecting the international questions which grew out of it. It was at once represented by the Italian minister that several of those whose lives had been taken by the mob were Italian subjects, and a demand was made for the punishment of the participants and for an indemnity to the families of those who were killed. It is to be regretted that the manner in which these claims were presented was not such as to promote a calm discussion of the questions involved; but this may well be attributed to the excitement and indignation which the crime naturally evoked. The views of this Government as to its obligations to foreigners domiciled here were fully stated in the correspondence, as well as its purpose to make an investigation of the affair with a view to determine whether there were present any circumstances that could under such rules of duty

as we had indicated create an obligation upon the United States. The temporary absence of a minister plenipotentiary of Italy at this capital has retarded the further correspondence, but it is not doubted that a friendly conclusion is attainable.

Some suggestions growing out of this unhappy incident are worthy the attention of Congress. It would, I believe, be entirely competent for Congress to make offenses against the treaty rights of foreigners domiciled in the United States cognizable in the Federal courts. This has not, however, been done, and the Federal officers and courts have no power in such cases to intervene, either for the protection of a foreign citizen or for the punishment of his slayers. It seems to me to follow, in this state of the law, that the officers of the State charged with police and judicial powers in such cases must in the consideration of international questions growing out of such incidents be regarded in such sense as Federal agents as to make this Government answerable for their acts in cases where it would be answerable if the United States had used its constitutional power to define and punish crime against treaty rights.

The civil war in Chile, which began in January last, was continued, but fortunately with infrequent and not important armed collisions, until August 28, when the Congressional forces landed near Valparaiso and after a bloody engagement captured that city. President Balmaceda at once recognized that his cause was lost, and a Provisional Government was speedily established by the victorious party. Our minister was promptly directed to recognize and put himself in communication with this Government so soon as it should have established its *de facto* character, which was done. During the pendency of this civil contest frequent indirect appeals were made to this Government to extend belligerent rights to the insurgents and to give audience to their representatives. This was declined, and that policy was pursued throughout which this Government when wrenched by civil war so strenuously insisted upon on the part of European nations. The *Itata*, an armed vessel commanded by a naval officer of the insurgent fleet, manned by its sailors and with soldiers on board, was seized under process of the United States court at San Diego, Cal., for a violation of our neutrality laws. While in the custody of an officer of the court the vessel was forcibly wrested from his control and put to sea. It would have been inconsistent with the dignity and self-respect of this Government not to have insisted that the *Itata* should be returned to San Diego to abide the judgment of the court. This was so clear to the junta of the Congressional party, established at Iquique, that before the arrival of the *Itata* at that port the secretary of foreign relations of the Provisional Government addressed to Rear-Admiral Brown, commanding the United States naval forces, a communication, from which the following is an extract:

The Provisional Government has learned by the cablegrams of the Associated Press that the transport *Itata*, detained in San Diego by order of the United States for

taking on board munitions of war, and in possession of the marshal, left the port, carrying on board this official, who was landed at a point near the coast, and then continued her voyage. * * * If this news be correct this Government would deplore the conduct of the *Itata*, and as an evidence that it is not disposed to support or agree to the infraction of the laws of the United States the undersigned takes advantage of the personal relations you have been good enough to maintain with him since your arrival in this port to declare to you that as soon as she is within reach of our orders his Government will put the *Itata*, with the arms and munitions she took on board in San Diego, at the disposition of the United States.

A trial in the district court of the United States for the southern district of California has recently resulted in a decision holding, among other things, that inasmuch as the Congressional party had not been recognized as a belligerent the acts done in its interest could not be a violation of our neutrality laws. From this judgment the United States has appealed, not that the condemnation of the vessel is a matter of importance, but that we may know what the present state of our law is; for if this construction of the statute is correct there is obvious necessity for revision and amendment.

During the progress of the war in Chile this Government tendered its good offices to bring about a peaceful adjustment, and it was at one time hoped that a good result might be reached; but in this we were disappointed.

The instructions to our naval officers and to our minister at Santiago from the first to the last of this struggle enjoined upon them the most impartial treatment and absolute noninterference. I am satisfied that these instructions were observed and that our representatives were always watchful to use their influence impartially in the interest of humanity, and on more than one occasion did so effectively. We could not forget, however, that this Government was in diplomatic relations with the then established Government of Chile, as it is now in such relations with the successor of that Government. I am quite sure that President Montt, who has, under circumstances of promise for the peace of Chile, been installed as President of that Republic, will not desire that in the unfortunate event of any revolt against his authority the policy of this Government should be other than that which we have recently observed. No official complaint of the conduct of our minister or of our naval officers during the struggle has been presented to this Government, and it is a matter of regret that so many of our own people should have given ear to unofficial charges and complaints that manifestly had their origin in rival interests and in a wish to pervert the relations of the United States with Chile.

The collapse of the Government of Balmaceda brought about a condition which is unfortunately too familiar in the history of the Central and South American States. With the overthrow of the Balmaceda Government he and many of his councilors and officers became at once fugitives for their lives, and appealed to the commanding officers of the

foreign naval vessels in the harbor of Valparaiso and to the resident foreign ministers at Santiago for asylum. This asylum was freely given, according to my information, by the naval vessels of several foreign powers and by several of the legations at Santiago. The American minister as well as his colleagues, acting upon the impulse of humanity, extended asylum to political refugees whose lives were in peril. I have not been willing to direct the surrender of such of these persons as are still in the American legation without suitable conditions.

It is believed that the Government of Chile is not in a position, in view of the precedents with which it has been connected, to broadly deny the right of asylum, and the correspondence has not thus far presented any such denial. The treatment of our minister for a time was such as to call for a decided protest, and it was very gratifying to observe that unfriendly measures, which were undoubtedly the result of the prevailing excitement, were at once rescinded or suitably relaxed.

On the 16th of October an event occurred in Valparaiso so serious and tragic in its circumstances and results as to very justly excite the indignation of our people and to call for prompt and decided action on the part of this Government. A considerable number of the sailors of the United States steamship *Baltimore*, then in the harbor at Valparaiso, being upon shore leave and unarmed, were assaulted by armed men nearly simultaneously in different localities in the city. One petty officer was killed outright and seven or eight seamen were seriously wounded, one of whom has since died. So savage and brutal was the assault that several of our sailors received more than two and one as many as eighteen stab wounds. An investigation of the affair was promptly made by a board of officers of the *Baltimore*, and their report shows that these assaults were unprovoked, that our men were conducting themselves in a peaceable and orderly manner, and that some of the police of the city took part in the assault and used their weapons with fatal effect, while a few others, with some well-disposed citizens, endeavored to protect our men. Thirty-six of our sailors were arrested, and some of them while being taken to prison were cruelly beaten and maltreated. The fact that they were all discharged, no criminal charge being lodged against any one of them, shows very clearly that they were innocent of any breach of the peace.

So far as I have yet been able to learn no other explanation of this bloody work has been suggested than that it had its origin in hostility to those men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity. The attention of the Chilean Government was at once called to this affair, and a statement of the facts obtained by the investigation we had conducted was submitted, accompanied by a request to be advised of any other or qualifying facts in the possession of the Chilean Government that might tend to relieve this affair of the appearance of an insult to this Government. The Chilean Government was also advised that if such qualifying

facts did not exist this Government would confidently expect full and prompt reparation.

It is to be regretted that the reply of the secretary for foreign affairs of the Provisional Government was couched in an offensive tone. To this no response has been made. This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will by a special message bring this matter again to the attention of Congress for such action as may be necessary. The entire correspondence with the Government of Chile will at an early day be submitted to Congress.

I renew the recommendation of my special message dated January 16, 1890,* for the adoption of the necessary legislation to enable this Government to apply in the case of Sweden and Norway the same rule in respect to the levying of tonnage dues as was claimed and secured to the shipping of the United States in 1828 under Article VIII of the treaty of 1827.

The adjournment of the Senate without action on the pending acts for the suppression of the slave traffic in Africa and for the reform of the revenue tariff of the Independent State of the Kongo left this Government unable to exchange those acts on the date fixed, July 2, 1891. A *modus vivendi* has been concluded by which the power of the Kongo State to levy duties on imports is left unimpaired, and by agreement of all the signatories to the general slave-trade act the time for the exchange of ratifications on the part of the United States has been extended to February 2, 1892.

The late outbreak against foreigners in various parts of the Chinese Empire has been a cause of deep concern in view of the numerous establishments of our citizens in the interior of that country. This Government can do no less than insist upon a continuance of the protective and punitory measures which the Chinese Government has heretofore applied. No effort will be omitted to protect our citizens peaceably sojourning in China, but recent unofficial information indicates that what was at first regarded as an outbreak of mob violence against foreigners has assumed the larger form of an insurrection against public order.

The Chinese Government has declined to receive Mr. Blair as the minister of the United States on the ground that as a participant while a Senator in the enactment of the existing legislation against the introduction of Chinese laborers he has become unfriendly and objectionable to China. I have felt constrained to point out to the Chinese Government

*See pp. 5494-5495.

the untenableness of this position, which seems to rest as much on the unacceptability of our legislation as on that of the person chosen, and which if admitted would practically debar the selection of any representative so long as the existing laws remain in force.

You will be called upon to consider the expediency of making special provision by law for the temporary admission of some Chinese artisans and laborers in connection with the exhibit of Chinese industries at the approaching Columbian Exposition. I regard it as desirable that the Chinese exhibit be facilitated in every proper way.

A question has arisen with the Government of Spain touching the rights of American citizens in the Caroline Islands. Our citizens there long prior to the confirmation of Spain's claim to the islands had secured by settlement and purchase certain rights to the recognition and maintenance of which the faith of Spain was pledged. I have had reason within the past year very strongly to protest against the failure to carry out this pledge on the part of His Majesty's ministers, which has resulted in great injustice and injury to the American residents.

The Government and people of Spain propose to celebrate the four hundredth anniversary of the discovery of America by holding an exposition at Madrid, which will open on the 12th of September and continue until the 31st of December, 1892. A cordial invitation has been extended to the United States to take part in this commemoration, and as Spain was one of the first nations to express the intention to participate in the World's Columbian Exposition at Chicago, it would be very appropriate for this Government to give this invitation its friendly promotion.

Surveys for the connecting links of the projected intercontinental railway are in progress, not only in Mexico, but at various points along the course mapped out. Three surveying parties are now in the field under the direction of the commission. Nearly 1,000 miles of the proposed road have been surveyed, including the most difficult part, that through Ecuador and the southern part of Colombia. The reports of the engineers are very satisfactory, and show that no insurmountable obstacles have been met with.

On November 12, 1884, a treaty was concluded with Mexico reaffirming the boundary between the two countries as described in the treaties of February 2, 1848, and December 30, 1853. March 1, 1889, a further treaty was negotiated to facilitate the carrying out of the principles of the treaty of 1884 and to avoid the difficulties occasioned by reason of the changes and alterations that take place from natural causes in the Rio Grande and Colorado rivers in the portions thereof constituting the boundary line between the two Republics. The International Boundary Commission provided for by the treaty of 1889 to have exclusive jurisdiction of any question that may arise has been named by the Mexican Government. An appropriation is necessary to enable the United States to fulfill its treaty obligations in this respect.

The death of King Kalakaua in the United States afforded occasion to testify our friendship for Hawaii by conveying the King's body to his own land in a naval vessel with all due honors. The Government of his successor, Queen Liliuokolani is seeking to promote closer commercial relations with the United States. Surveys for the much-needed submarine cable from our Pacific coast to Honolulu are in progress, and this enterprise should have the suitable promotion of the two Governments. I strongly recommend that provision be made for improving the harbor of Pearl River and equipping it as a naval station.

The arbitration treaty formulated by the International American Conference lapsed by reason of the failure to exchange ratifications fully within the limit of time provided; but several of the Governments concerned have expressed a desire to save this important result of the conference by an extension of the period. It is, in my judgment, incumbent upon the United States to conserve the influential initiative it has taken in this measure by ratifying the instrument and by advocating the proposed extension of the time for exchange. These views have been made known to the other signatories.

This Government has found occasion to express in a friendly spirit, but with much earnestness, to the Government of the Czar its serious concern because of the harsh measures now being enforced against the Hebrews in Russia. By the revival of antisemitic laws, long in abeyance, great numbers of those unfortunate people have been constrained to abandon their homes and leave the Empire by reason of the impossibility of finding subsistence within the pale to which it is sought to confine them. The immigration of these people to the United States—many other countries being closed to them—is largely increasing and is likely to assume proportions which may make it difficult to find homes and employment for them here and to seriously affect the labor market. It is estimated that over 1,000,000 will be forced from Russia within a few years. The Hebrew is never a beggar; he has always kept the law—life by toil—often under severe and oppressive civil restrictions. It is also true that no race, sect, or class has more fully cared for its own than the Hebrew race. But the sudden transfer of such a multitude under conditions that tend to strip them of their small accumulations and to depress their energies and courage is neither good for them nor for us.

The banishment, whether by direct decree or by not less certain indirect methods, of so large a number of men and women is not a local question. A decree to leave one country is in the nature of things an order to enter another—some other. This consideration, as well as the suggestion of humanity, furnishes ample ground for the remonstrances which we have presented to Russia, while our historic friendship for that Government can not fail to give the assurance that our representations are those of a sincere wellwisher.

The annual report of the Maritime Canal Company of Nicaragua

shows that much costly and necessary preparatory work has been done during the year in the construction of shops, railroad tracks, and harbor piers and breakwaters, and that the work of canal construction has made some progress.

I deem it to be a matter of the highest concern to the United States that this canal, connecting the waters of the Atlantic and Pacific oceans and giving to us a short water communication between our ports upon those two great seas, should be speedily constructed and at the smallest practicable limit of cost. The gain in freights to the people and the direct saving to the Government of the United States in the use of its naval vessels would pay the entire cost of this work within a short series of years. The report of the Secretary of the Navy shows the saving in our naval expenditures which would result.

The Senator from Alabama (Mr. Morgan) in his argument upon this subject before the Senate at the last session did not overestimate the importance of this work when he said that "the canal is the most important subject now connected with the commercial growth and progress of the United States."

If this work is to be promoted by the usual financial methods and without the aid of this Government, the expenditures in its interest-bearing securities and stock will probably be twice the actual cost. This will necessitate higher tolls and constitute a heavy and altogether needless burden upon our commerce and that of the world. Every dollar of the bonds and stock of the company should represent a dollar expended in the legitimate and economical prosecution of the work. This is only possible by giving to the bonds the guaranty of the United States Government. Such a guaranty would secure the ready sale at par of a 3 per cent bond from time to time as the money was needed. I do not doubt that built upon these business methods the canal would when fully inaugurated earn its fixed charges and operating expenses. But if its bonds are to be marketed at heavy discounts and every bond sold is to be accompanied by a gift of stock, as has come to be expected by investors in such enterprises, the traffic will be seriously burdened to pay interest and dividends. I am quite willing to recommend Government promotion in the prosecution of a work which, if no other means offered for securing its completion, is of such transcendent interest that the Government should, in my opinion, secure it by direct appropriations from its Treasury.

A guaranty of the bonds of the canal company to an amount necessary to the completion of the canal could, I think, be so given as not to involve any serious risk of ultimate loss. The things to be carefully guarded are the completion of the work within the limits of the guaranty, the subrogation of the United States to the rights of the first-mortgage bondholders for any amounts it may have to pay, and in the meantime a control of the stock of the company as a security against mismanagement and loss. I

most sincerely hope that neither party nor sectional lines will be drawn upon this great American project, so full of interest to the people of all our States and so influential in its effects upon the prestige and prosperity of our common country.

The island of Navassa, in the West Indian group, has, under the provisions of Title VII of the Revised Statutes, been recognized by the President as appertaining to the United States. It contains guano deposits, is owned by the Navassa Phosphate Company, and is occupied solely by its employees. In September, 1889, a revolt took place among these laborers, resulting in the killing of some of the agents of the company, caused, as the laborers claimed, by cruel treatment. These men were arrested and tried in the United States court at Baltimore, under section 5576 of the statute referred to, as if the offenses had been committed on board a merchant vessel of the United States on the high seas. There appeared on the trial and otherwise came to me such evidences of the bad treatment of the men that in consideration of this and of the fact that the men had no access to any public officer or tribunal for protection or the redress of their wrongs I commuted the death sentences that had been passed by the court upon three of them. In April last my attention was again called to this island and to the unregulated condition of things there by a letter from a colored laborer, who complained that he was wrongfully detained upon the island by the phosphate company after the expiration of his contract of service. A naval vessel was sent to examine into the case of this man and generally into the condition of things on the island. It was found that the laborer referred to had been detained beyond the contract limit and that a condition of revolt again existed among the laborers. A board of naval officers reported, among other things, as follows:

> We would desire to state further that the discipline maintained on the island seems to be that of a convict establishment without its comforts and cleanliness, and that until more attention is paid to the shipping of laborers by placing it under Government supervision to prevent misunderstanding and misrepresentation, and until some amelioration is shown in the treatment of the laborers, these disorders will be of constant occurrence.

I recommend legislation that shall place labor contracts upon this and other islands having the relation that Navassa has to the United States under the supervision of a court commissioner, and that shall provide at the expense of the owners an officer to reside upon the island, with power to judge and adjust disputes and to enforce a just and humane treatment of the employees. It is inexcusable that American laborers should be left within our own jurisdiction without access to any Government officer or tribunal for their protection and the redress of their wrongs.

International copyright has been secured, in accordance with the conditions of the act of March 3, 1891, with Belgium, France, Great Britain and the British possessions, and Switzerland, the laws of those countries

permitting to our citizens the benefit of copyright on substantially the same basis as to their own citizens or subjects.

With Germany a special convention has been negotiated upon this subject which will bring that country within the reciprocal benefits of our legislation.

The general interest in the operations of the Treasury Department has been much augmented during the last year by reason of the conflicting predictions, which accompanied and followed the tariff and other legislation of the last Congress affecting the revenues, as to the results of this legislation upon the Treasury and upon the country. On the one hand it was contended that imports would so fall off as to leave the Treasury bankrupt and that the prices of articles entering into the living of the people would be so enhanced as to disastrously affect their comfort and happiness, while on the other it was argued that the loss to the revenue, largely the result of placing sugar on the free list, would be a direct gain to the people; that the prices of the necessaries of life, including those most highly protected, would not be enhanced; that labor would have a larger market and the products of the farm advanced prices, while the Treasury surplus and receipts would be adequate to meet the appropriations, including the large exceptional expenditures for the refunding to the States of the direct tax and the redemption of the 4½ per cent bonds.

It is not my purpose to enter at any length into a discussion of the effects of the legislation to which I have referred; but a brief examination of the statistics of the Treasury and a general glance at the state of business throughout the country will, I think, satisfy any impartial inquirer that its results have disappointed the evil prophecies of its opponents and in a large measure realized the hopeful predictions of its friends. Rarely, if ever before, in the history of the country has there been a time when the proceeds of one day's labor or the product of one farmed acre would purchase so large an amount of those things that enter into the living of the masses of the people. I believe that a full test will develop the fact that the tariff act of the Fifty-first Congress is very favorable in its average effect upon the prices of articles entering into common use.

During the twelve months from October 1, 1890, to September 30, 1891, the total value of our foreign commerce (imports and exports combined) was $1,747,806,406, which was the largest of any year in the history of the United States. The largest in any previous year was in 1890, when our commerce amounted to $1,647,139,093, and the last year exceeds this enormous aggregate by over one hundred millions. It is interesting, and to some will be surprising, to know that during the year ending September 30, 1891, our imports of merchandise amounted to $824,715,270, which was an increase of more than $11,000,000 over the value of the imports of the corresponding months of the preceding year, when the imports of merchandise were unusually large in anticipation of the tariff

legislation then pending. The average annual value of the imports of merchandise for the ten years from 1881 to 1890 was $692,186,522, and during the year ending September 30, 1891, this annual average was exceeded by $132,528,469.

The value of free imports during the twelve months ending September 30, 1891, was $118,092,387 more than the value of free imports during the corresponding twelve months of the preceding year, and there was during the same period a decrease of $106,846,508 in the value of imports of dutiable merchandise. The percentage of merchandise admitted free of duty during the year to which I have referred, the first under the new tariff, was 48.18, while during the preceding twelve months, under the old tariff, the percentage was 34.27, an increase of 13.91 per cent. If we take the six months ending September 30 last, which covers the time during which sugars have been admitted free of duty, the per cent of value of merchandise imported free of duty is found to be 55.37, which is a larger percentage of free imports than during any prior fiscal year in the history of the Government.

If we turn to exports of merchandise, the statistics are full of gratification. The value of such exports of merchandise for the twelve months ending September 30, 1891, was $923,091,136, while for the corresponding previous twelve months it was $860,177,115, an increase of $62,914,021, which is nearly three times the average annual increase of exports of merchandise for the preceding twenty years. This exceeds in amount and value the exports of merchandise during any year in the history of the Government. The increase in the value of exports of agricultural products during the year referred to over the corresponding twelve months of the prior year was $45,846,197, while the increase in the value of exports of manufactured products was $16,838,240.

There is certainly nothing in the condition of trade, foreign or domestic, there is certainly nothing in the condition of our people of any class, to suggest that the existing tariff and revenue legislation bears oppressively upon the people or retards the commercial development of the nation. It may be argued that our condition would be better if tariff legislation were upon a free-trade basis; but it can not be denied that all the conditions of prosperity and of general contentment are present in a larger degree than ever before in our history, and that, too, just when it was prophesied they would be in the worst state. Agitation for radical changes in tariff and financial legislation can not help but may seriously impede business, to the prosperity of which some degree of stability in legislation is essential.

I think there are conclusive evidences that the new tariff has created several great industries, which will within a few years give employment to several hundred thousand American working men and women. In view of the somewhat overcrowded condition of the labor market of the United States, every patriotic citizen should rejoice at such a result.

The report of the Secretary of the Treasury shows that the total receipts of the Government from all sources for the fiscal year ending June 30, 1891, were $458,544,233.03, while the expenditures for the same period were $421,304,470.46, leaving a surplus of $37,239,762.57.

The receipts of the fiscal year ending June 30, 1892, actual and estimated, are $433,000,000 and the expenditures $409,000,000. For the fiscal year ending June 30, 1893, the estimated receipts are $455,336,350 and the expenditures $441,300,093.

Under the law of July 14, 1890, the Secretary of the Treasury has purchased (since August 13) during the fiscal year 48,393,113 ounces of silver bullion at an average cost of $1.045 per ounce. The highest price paid during the year was $1.2025 and the lowest $0.9636. In exchange for this silver bullion there have been issued $50,577,498 of the Treasury notes authorized by the act. The lowest price of silver reached during the fiscal year was $0.9636 on April 22, 1891; but on November 1 the market price was only $0.96, which would give to the silver dollar a bullion value of 74¼ cents.

Before the influence of the prospective silver legislation was felt in the market silver was worth in New York about $0.955 per ounce. The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases by the Government required by the law would at once bring the price of silver to $1.2929 per ounce, which would make the bullion value of a dollar 100 cents and hold it there. The prophecies of the antisilver men of disasters to result from the coinage of $2,000,000 per month were not wider of the mark. The friends of free silver are not agreed, I think, as to the causes that brought their hopeful predictions to naught. Some facts are known. The exports of silver from London to India during the first nine months of this calendar year fell off over 50 per cent, or $17,202,730, compared with the same months of the preceding year. The exports of domestic silver bullion from this country, which had averaged for the last ten years over $17,000,000, fell in the last fiscal year to $13,797,391, while for the first time in recent years the imports of silver into this country exceeded the exports by the sum of $2,745,365. In the previous year the net exports of silver from the United States amounted to $8,545,455. The production of the United States increased from 50,000,000 ounces in 1889 to 54,500,000 in 1890. The Government is now buying and putting aside annually 54,000,000 ounces, which, allowing for 7,140,000 ounces of new bullion used in the arts, is 6,640,000 more than our domestic products available for coinage.

I hope the depression in the price of silver is temporary and that a further trial of this legislation will more favorably affect it. That the increased volume of currency thus supplied for the use of the people was needed and that beneficial results upon trade and prices have followed this legislation I think must be very clear to everyone. Nor should it

be forgotten that for every dollar of these notes issued a full dollar's worth of silver bullion is at the time deposited in the Treasury as a security for its redemption. Upon this subject, as upon the tariff, my recommendation is that the existing laws be given a full trial and that our business interests be spared the distressing influence which threats of radical changes always impart. Under existing legislation it is in the power of the Treasury Department to maintain that essential condition of national finance as well as of commercial prosperity—the parity in use of the coined dollars and their paper representatives. The assurance that these powers would be freely and unhesitatingly used has done much to produce and sustain the present favorable business conditions.

I am still of the opinion that the free coinage of silver under existing conditions would disastrously affect our business interests at home and abroad. We could not hope to maintain an equality in the purchasing power of the gold and silver dollar in our own markets, and in foreign trade the stamp gives no added value to the bullion contained in coins. The producers of the country, its farmers and laborers, have the highest interest that every dollar, paper or coin, issued by the Government shall be as good as any other. If there is one less valuable than another, its sure and constant errand will be to pay them for their toil and for their crops. The money lender will protect himself by stipulating for payment in gold, but the laborer has never been able to do that. To place business upon a silver basis would mean a sudden and severe contraction of the currency by the withdrawal of gold and gold notes and such an unsettling of all values as would produce a commercial panic. I can not believe that a people so strong and prosperous as ours will promote such a policy.

The producers of silver are entitled to just consideration, but they should not forget that the Government is now buying and putting out of the market what is the equivalent of the entire product of our silver mines. This is more than they themselves thought of asking two years ago. I believe it is the earnest desire of a great majority of the people, as it is mine, that a full coin use shall be made of silver just as soon as the cooperation of other nations can be secured and a ratio fixed that will give circulation equally to gold and silver. The business of the world requires the use of both metals; but I do not see any prospect of gain, but much of loss, by giving up the present system, in which a full use is made of gold and a large use of silver, for one in which silver alone will circulate. Such an event would be at once fatal to the further progress of the silver movement. Bimetallism is the desired end, and the true friends of silver will be careful not to overrun the goal and bring in silver monometallism with its necessary attendants—the loss of our gold to Europe and the relief of the pressure there for a larger currency. I have endeavored by the use of official and unofficial agencies to keep a close observation of the state of public sentiment in Europe upon this

question and have not found it to be such as to justify me in proposing an international conference. There is, however, I am sure, a growing sentiment in Europe in favor of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here. A scarcity of gold in the European reserves will be the most persuasive argument for the use of silver.

The exports of gold to Europe, which began in February last and continued until the close of July, aggregated over $70,000,000. The net loss of gold during the fiscal year was nearly $68,000,000. That no serious monetary disturbance resulted was most gratifying and gave to Europe fresh evidence of the strength and stability of our financial institutions. With the movement of crops the outflow of gold was speedily stopped and a return set in. Up to December 1 we had recovered of our gold lost at the port of New York $27,854,000, and it is confidently believed that during the winter and spring this aggregate will be steadily and largely increased.

The presence of a large cash surplus in the Treasury has for many years been the subject of much unfavorable criticism, and has furnished an argument to those who have desired to place the tariff upon a purely revenue basis. It was agreed by all that the withdrawal from circulation of so large an amount of money was an embarrassment to the business of the country and made necessary the intervention of the Department at frequent intervals to relieve threatened monetary panics. The surplus on March 1, 1889, was $183,827,190.29. The policy of applying this surplus to the redemption of the interest-bearing securities of the United States was thought to be preferable to that of depositing it without interest in selected national banks. There have been redeemed since the date last mentioned of interest-bearing securities $259,079,350, resulting in a reduction of the annual interest charge of $11,684,675. The money which had been deposited in banks without interest has been gradually withdrawn and used in the redemption of bonds.

The result of this policy, of the silver legislation, and of the refunding of the 4½ per cent bonds has been a large increase of the money in circulation. At the date last named the circulation was $1,404,205,896, or $23.03 per capita, while on the 1st day of December, 1891, it had increased to $1,577,262,070, or $24.38 per capita. The offer of the Secretary of the Treasury to the holders of the 4½ per cent bonds to extend the time of redemption, at the option of the Government, at an interest of 2 per cent, was accepted by the holders of about one-half the amount, and the unextended bonds are being redeemed on presentation.

The report of the Secretary of War exhibits the results of an intelligent, progressive, and businesslike administration of a Department which has been too much regarded as one of mere routine. The separation of Secretary Proctor from the Department by reason of his appointment as a Senator from the State of Vermont is a source of great regret

to me and to his colleagues in the Cabinet, as I am sure it will be to all those who have had business with the Department while under his charge.

In the administration of army affairs some especially good work has been accomplished. The efforts of the Secretary to reduce the percentage of desertions by removing the causes that promoted it have been so successful as to enable him to report for the last year a lower percentage of desertion than has been before reached in the history of the Army. The resulting money saving is considerable, but the improvement in the morale of the enlisted men is the most valuable incident of the reforms which have brought about this result.

The work of securing sites for shore batteries for harbor defense and the manufacture of mortars and guns of high power to equip them have made good progress during the year. The preliminary work of tests and plans which so long delayed a start is now out of the way. Some guns have been completed, and with an enlarged shop and a more complete equipment at Watervliet the Army will soon be abreast of the Navy in gun construction. Whatever unavoidable causes of delay may arise, there should be none from delayed or insufficient appropriations. We shall be greatly embarrassed in the proper distribution and use of naval vessels until adequate shore defenses are provided for our harbors.

I concur in the recommendation of the Secretary that the three-battalion organization be adopted for the infantry. The adoption of a smokeless powder and of a modern rifle equal in range, precision, and rapidity of fire to the best now in use will, I hope, not be longer delayed.

The project of enlisting Indians and organizing them into separate companies upon the same basis as other soldiers was made the subject of very careful study by the Secretary and received my approval. Seven companies have been completely organized and seven more are in process of organization. The results of six months' training have more than realized the highest anticipations. The men are readily brought under discipline, acquire the drill with facility, and show great pride in the right discharge of their duty and perfect loyalty to their officers, who declare that they would take them into action with confidence. The discipline, order, and cleanliness of the military posts will have a wholesome and elevating influence upon the men enlisted, and through them upon their tribes, while a friendly feeling for the whites and a greater respect for the Government will certainly be promoted.

The great work done in the Record and Pension Division of the War Department by Major Ainsworth, of the Medical Corps, and the clerks under him is entitled to honorable mention. Taking up the work with nearly 41,000 cases behind, he closed the last fiscal year without a single case left over, though the new cases had increased 52 per cent in number over the previous year by reason of the pension legislation of the last Congress.

I concur in the recommendation of the Attorney-General that the right in felony cases to a review by the Supreme Court be limited. It would seem that personal liberty would have a safe guaranty if the right of review in cases involving only fine and imprisonment were limited to the circuit court of appeals, unless a constitutional question should in some way be involved.

The judges of the Court of Private Land Claims, provided for by the act of March 3, 1891, have been appointed and the court organized. It is now possible to give early relief to communities long repressed in their development by unsettled land titles and to establish the possession and right of settlers whose lands have been rendered valueless by adverse and unfounded claims.

The act of July 9, 1888, provided for the incorporation and management of a reform school for girls in the District of Columbia; but it has remained inoperative for the reason that no appropriation has been made for construction or maintenance. The need of such an institution is very urgent. Many girls could be saved from depraved lives by the wholesome influences and restraints of such a school. I recommend that the necessary appropriation be made for a site and for construction.

The enforcement by the Treasury Department of the law prohibiting the coming of Chinese to the United States has been effective as to such as seek to land from vessels entering our ports. The result has been to divert the travel to vessels entering the ports of British Columbia, whence passage into the United States at obscure points along the Dominion boundary is easy. A very considerable number of Chinese laborers have during the past year entered the United States from Canada and Mexico.

The officers of the Treasury Department and of the Department of Justice have used every means at their command to intercept this immigration; but the impossibility of perfectly guarding our extended frontier is apparent. The Dominion government collects a head tax of $50 from every Chinaman entering Canada, and thus derives a considerable revenue from those who only use its ports to reach a position of advantage to evade our exclusion laws. There seems to be satisfactory evidence that the business of passing Chinamen through Canada to the United States is organized and quite active. The Department of Justice has construed the laws to require the return of any Chinaman found to be unlawfully in this country to China as the country from which he came, notwithstanding the fact that he came by way of Canada; but several of the district courts have in cases brought before them overruled this view of the law and decided that such persons must be returned to Canada. This construction robs the law of all effectiveness, even if the decrees could be executed, for the men returned can the next day recross our border. But the only appropriation made is for sending them back to China, and the Canadian officials refuse to allow them to reenter

Canada without the payment of the fifty-dollar head tax. I recommend such legislation as will remedy these defects in the law.

In previous messages I have called the attention of Congress to the necessity of so extending the jurisdiction of the United States courts as to make triable therein any felony committed while in the act of violating a law of the United States. These courts can not have that independence and effectiveness which the Constitution contemplates so long as the felonious killing of court officers, jurors, and witnesses in the discharge of their duties or by reason of their acts as such is only cognizable in the State courts. The work done by the Attorney-General and the officers of his Department, even under the present inadequate legislation, has produced some notable results in the interest of law and order.

The Attorney-General and also the Commissioners of the District of Columbia call attention to the defectiveness and inadequacy of the laws relating to crimes against chastity in the District of Columbia. A stringent code upon this subject has been provided by Congress for Utah, and it is a matter of surprise that the needs of this District should have been so long overlooked.

In the report of the Postmaster-General some very gratifying results are exhibited and many betterments of the service suggested. A perusal of the report gives abundant evidence that the supervision and direction of the postal system have been characterized by an intelligent and conscientious desire to improve the service. The revenues of the Department show an increase of over $5,000,000, with a deficiency for the year 1892 of less than $4,000,000, while the estimate for the year 1893 shows a surplus of receipts over expenditures.

Ocean mail post-offices have been established upon the steamers of the North German Lloyd and Hamburg lines, saving by the distribution on shipboard from two to fourteen hours' time in the delivery of mail at the port of entry and often much more than this in the delivery at interior places. So thoroughly has this system, initiated by Germany and the United States, evidenced its usefulness that it can not be long before it is installed upon all the great ocean mail-carrying steamships.

Eight thousand miles of new postal service has been established upon railroads, the car distribution to substations in the great cities has been increased about 12 per cent, while the percentage of errors in distribution has during the past year been reduced over one-half. An appropriation was given by the last Congress for the purpose of making some experiments in free delivery in the smaller cities and towns. The results of these experiments have been so satisfactory that the Postmaster-General recommends, and I concur in the recommendation, that the free-delivery system be at once extended to towns of 5,000 population. His discussion of the inadequate facilities extended under our present system to rural communities and his suggestions with a view to give these communities

a fuller participation in the benefits of the postal service are worthy of your careful consideration. It is not just that the farmer, who receives his mail at a neighboring town, should not only be compelled to send to the post-office for it, but to pay a considerable rent for a box in which to place it or to wait his turn at a general-delivery window, while the city resident has his mail brought to his door. It is stated that over 54,000 neighborhoods are under the present system receiving mail at post-offices where money orders and postal notes are not issued. The extension of this system to these communities is especially desirable, as the patrons of such offices are not possessed of the other facilities offered in more populous communities for the transmission of small sums of money.

I have in a message to the preceding Congress expressed my views as to a modified use of the telegraph in connection with the postal service.* In pursuance of the ocean mail law of March 3, 1891, and after a most careful study of the whole subject and frequent conferences with ship-owners, boards of trade, and others, advertisements were issued by the Postmaster-General for 53 lines of ocean mail service—10 to Great Britain and the Continent, 27 to South America, 3 to China and Japan, 4 to Australia and the Pacific islands, 7 to the West Indies, and 2 to Mexico. It was not, of course, expected that bids for all these lines would be received or that service upon them all would be contracted for. It was intended, in furtherance of the act, to secure as many new lines as possible, while including in the list most or all of the foreign lines now occupied by American ships. It was hoped that a line to England and perhaps one to the Continent would be secured; but the outlay required to equip such lines wholly with new ships of the first class and the difficulty of establishing new lines in competition with those already established deterred bidders whose interest had been enlisted. It is hoped that a way may yet be found of overcoming these difficulties.

The Brazil Steamship Company, by reason of a miscalculation as to the speed of its vessels, was not able to bid under the terms of the advertisement. The policy of the Department was to secure from the established lines an improved service as a condition of giving to them the benefits of the law. This in all instances has been attained. The Postmaster-General estimates that an expenditure in American shipyards of about $10,000,000 will be necessary to enable the bidders to construct the ships called for by the service which they have accepted. I do not think there is any reason for discouragement or for any turning back from the policy of this legislation. Indeed, a good beginning has been made, and as the subject is further considered and understood by capitalists and shipping people new lines will be ready to meet future proposals, and we may date from the passage of this law the revival of American shipping interests and the recovery of a fair share of the carrying trade of the world. We were receiving for foreign postage nearly $2,000,000 under the old

*See p. 5562.

system, and the outlay for ocean mail service did not exceed $600,000 per annum. It is estimated by the Postmaster-General that if all the contracts proposed are completed it will require $247,354 for this year in addition to the appropriation for sea and inland postage already in the estimates, and that for the next fiscal year, ending June 30, 1893, there would probably be needed about $560,000.

The report of the Secretary of the Navy shows a gratifying increase of new naval vessels in commission. The *Newark*, *Concord*, *Bennington*, and *Miantonomoh* have been added during the year, with an aggregate of something more than 11,000 tons. Twenty-four warships of all classes are now under construction in the navy-yards and private shops; but while the work upon them is going forward satisfactorily, the completion of the more important vessels will yet require about a year's time. Some of the vessels now under construction, it is believed, will be triumphs of naval engineering. When it is recollected that the work of building a modern navy was only initiated in the year 1883, that our naval constructors and shipbuilders were practically without experience in the construction of large iron or steel ships, that our engine shops were unfamiliar with great marine engines, and that the manufacture of steel forgings for guns and plates was almost wholly a foreign industry, the progress that has been made is not only highly satisfactory, but furnishes the assurance that the United States will before long attain in the construction of such vessels, with their engines and armaments, the same preeminence which it attained when the best instrument of ocean commerce was the clipper ship and the most impressive exhibit of naval power the old wooden three-decker man-of-war. The officers of the Navy and the proprietors and engineers of our great private shops have responded with wonderful intelligence and professional zeal to the confidence expressed by Congress in its liberal legislation. We have now at Washington a gun shop, organized and conducted by naval officers, that in its system, economy, and product is unexcelled. Experiments with armor plate have been conducted during the year with most important results. It is now believed that a plate of higher resisting power than any in use has been found and that the tests have demonstrated that cheaper methods of manufacture than those heretofore thought necessary can be used.

I commend to your favorable consideration the recommendations of the Secretary, who has, I am sure, given to them the most conscientious study. There should be no hesitation in promptly completing a navy of the best modern type large enough to enable this country to display its flag in all seas for the protection of its citizens and of its extending commerce. The world needs no assurance of the peaceful purposes of the United States, but we shall probably be in the future more largely a competitor in the commerce of the world, and it is essential to the dignity of this nation and to that peaceful influence which it should exercise on

COLUMBUS STATUE AND UNION STATION, WASHINGTON

UNION STATION AND COLUMBUS STATUE.

The new Union station in Washington, D. C., built of Vermont granite, is one of the largest structures in America. It is 760 feet long, 343 feet wide, with a waiting-room 222 feet by 130 feet and 120 feet high. The passenger concourse can accommodate 50,000 persons. In front is the striking monument to Columbus, one of the many tributes to the Spanish navigator in the New World which he discovered.

this hemisphere that its Navy should be adequate both upon the shores of the Atlantic and of the Pacific.

The report of the Secretary of the Interior shows that a very gratifying progress has been made in all of the bureaus which make up that complex and difficult Department.

The work in the Bureau of Indian Affairs was perhaps never so large as now, by reason of the numerous negotiations which have been proceeding with the tribes for a reduction of the reservations, with the incident labor of making allotments, and was never more carefully conducted. The provision of adequate school facilities for Indian children and the locating of adult Indians upon farms involve the solution of the "Indian question." Everything else—rations, annuities, and tribal negotiations, with the agents, inspectors, and commissioners who distribute and conduct them—must pass away when the Indian has become a citizen, secure in the individual ownership of a farm from which he derives his subsistence by his own labor, protected by and subordinate to the laws which govern the white man, and provided by the General Government or by the local communities in which he lives with the means of educating his children. When an Indian becomes a citizen in an organized State or Territory, his relation to the General Government ceases in great measure to be that of a ward; but the General Government ought not at once to put upon the State or Territory the burden of the education of his children.

It has been my thought that the Government schools and school buildings upon the reservations would be absorbed by the school systems of the States and Territories; but as it has been found necessary to protect the Indian against the compulsory alienation of his land by exempting him from taxation for a period of twenty-five years, it would seem to be right that the General Government, certainly where there are tribal funds in its possession, should pay to the school fund of the State what would be equivalent to the local school tax upon the property of the Indian. It will be noticed from the report of the Commissioner of Indian Affairs that already some contracts have been made with district schools for the education of Indian children. There is great advantage, I think, in bringing the Indian children into mixed schools. This process will be gradual, and in the meantime the present educational provisions and arrangements, the result of the best experience of those who have been charged with this work, should be continued. This will enable those religious bodies that have undertaken the work of Indian education with so much zeal and with results so restraining and beneficent to place their institutions in new and useful relations to the Indian and to his white neighbors.

The outbreak among the Sioux which occurred in December last is as to its causes and incidents fully reported upon by the War Department and the Department of the Interior. That these Indians had some just

complaints, especially in the matter of the reduction of the appropriation for rations and in the delays attending the enactment of laws to enable the Department to perform the engagements entered into with them, is probably true; but the Sioux tribes are naturally warlike and turbulent, and their warriors were excited by their medicine men and chiefs, who preached the coming of an Indian messiah who was to give them power to destroy their enemies. In view of the alarm that prevailed among the white settlers near the reservation and of the fatal consequences that would have resulted from an Indian incursion, I placed at the disposal of General Miles, commanding the Division of the Missouri, all such forces as were thought by him to be required. He is entitled to the credit of having given thorough protection to the settlers and of bringing the hostiles into subjection with the least possible loss of life.

The appropriation of $2,991,450 for the Choctaws and Chickasaws contained in the general Indian appropriation bill of March 3, 1891, has not been expended, for the reason that I have not yet approved a release (to the Government) of the Indian claim to the lands mentioned. This matter will be made the subject of a special message, placing before Congress all the facts which have come to my knowledge.

The relation of the Five Civilized Tribes now occupying the Indian Territory to the United States is not, I believe, that best calculated to promote the highest advancement of these Indians. That there should be within our borders five independent states having no relations, except those growing out of treaties, with the Government of the United States, no representation in the National Legislature, its people not citizens, is a startling anomaly.

It seems to me to be inevitable that there shall be before long some organic changes in the relation of these people to the United States. What form these changes should take I do not think it desirable now to suggest, even if they were well defined in my own mind. They should certainly involve the acceptance of citizenship by the Indians and a representation in Congress. These Indians should have opportunity to present their claims and grievances upon the floor rather than, as now, in the lobby. If a commission could be appointed to visit these tribes to confer with them in a friendly spirit upon this whole subject, even if no agreement were presently reached the feeling of the tribes upon this question would be developed, and discussion would prepare the way for changes which must come sooner or later.

The good work of reducing the larger Indian reservations by allotments in severalty to the Indians and the cession of the remaining lands to the United States for disposition under the homestead law has been prosecuted during the year with energy and success. In September last I was enabled to open to settlement in the Territory of Oklahoma 900,000 acres of land, all of which was taken up by settlers in a single

day. The rush for these lands was accompanied by a great deal of excitement, but was happily free from incidents of violence.

It was a source of great regret that I was not able to open at the same time the surplus lands of the Cheyenne and Arapahoe Reservation, amounting to about 3,000,000 acres, by reason of the insufficiency of the appropriation for making the allotments. Deserving and impatient settlers are waiting to occupy these lands, and I urgently recommend that a special deficiency appropriation be promptly made of the small amount needed, so that the allotments may be completed and the surplus lands opened in time to permit the settlers to get upon their homesteads in the early spring.

During the past summer the Cherokee Commission have completed arrangements with the Wichita, Kickapoo, and Tonkawa tribes whereby, if the agreements are ratified by Congress, over 800,000 additional acres will be opened to settlement in Oklahoma.

The negotiations for the release by the Cherokees of their claim to the Cherokee Strip have made no substantial progress so far as the Department is officially advised, but it is still hoped that the cession of this large and valuable tract may be secured. The price which the commission was authorized to offer—$1.25 per acre—is, in my judgment, when all the circumstances as to title and the character of the lands are considered, a fair and adequate one, and should have been accepted by the Indians.

Since March 4, 1889, about 23,000,000 acres have been separated from Indian reservations and added to the public domain for the use of those who desired to secure free homes under our beneficent laws. It is difficult to estimate the increase of wealth which will result from the conversion of these waste lands into farms, but it is more difficult to estimate the betterment which will result to the families that have found renewed hope and courage in the ownership of a home and the assurance of a comfortable subsistence under free and healthful conditions. It is also gratifying to be able to feel, as we may, that this work has proceeded upon lines of justice toward the Indian, and that he may now, if he will, secure to himself the good influences of a settled habitation, the fruits of industry, and the security of citizenship.

Early in this Administration a special effort was begun to bring up the work of the General Land Office. By faithful work the arrearages have been rapidly reduced. At the end of the last fiscal year only 84,172 final agricultural entries remained undisposed of, and the Commissioner reports that with the present force the work can be fully brought up by the end of the next fiscal year.

Your attention is called to the difficulty presented by the Secretary of the Interior as to the administration of the law of March 3, 1891, establishing a Court of Private Land Claims. The small holdings intended to be protected by the law are estimated to be more than 15,000 in

number. The claimants are a most deserving class and their titles are supported by the strongest equities. The difficulty grows out of the fact that the lands have largely been surveyed according to our methods, while the holdings, many of which have been in the same family for generations, are laid out in narrow strips a few rods wide upon a stream and running back to the hills for pasturage and timber. Provision should be made for numbering these tracts as lots and for patenting them by such numbers and without reference to section lines.

The administration of the Pension Bureau has been characterized during the year by great diligence. The total number of pensioners upon the roll on the 30th day of June, 1891, was 676,160. There were allowed during the fiscal year ending at that time 250,565 cases. Of this number 102,387 were allowed under the law of June 27, 1890. The issuing of certificates has been proceeding at the rate of about 30,000 per month, about 75 per cent of these being cases under the new law. The Commissioner expresses the opinion that he will be able to carefully adjudicate and allow 350,000 claims during the present fiscal year. The appropriation for the payment of pensions for the fiscal year 1890–91 was $127,685,793.89 and the amount expended $118,530,649.25, leaving an unexpended surplus of $9,155,144.64.

The Commissioner is quite confident that there will be no call this year for a deficiency appropriation, notwithstanding the rapidity with which the work is being pushed. The mistake which has been made by many in their exaggerated estimates of the cost of pensions is in not taking account of the diminished value of first payments under the recent legislation. These payments under the general law have been for many years very large, as the pensions when allowed dated from the time of filing the claim, and most of these claims had been pending for years. The first payments under the law of June, 1890, are relatively small, and as the per cent of these cases increases and that of the old cases diminishes the annual aggregate of first payments is largely reduced. The Commissioner, under date of November 13, furnishes me with the statement that during the last four months 113,175 certificates were issued, 27,893 under the general law and 85,282 under the act of June 27, 1890. The average first payment during these four months was $131.85, while the average first payment upon cases allowed during the year ending June 30, 1891, was $239.33, being a reduction in the average first payments during these four months of $107.48.

The estimate for pension expenditures for the fiscal year ending June 30, 1893, is $144,956,000, which, after a careful examination of the subject, the Commissioner is of the opinion will be sufficient. While these disbursements to the disabled soldiers of the great Civil War are large, they do not realize the exaggerated estimates of those who oppose this beneficent legislation. The Secretary of the Interior shows with great fullness the care that is taken to exclude fraudulent claims, and also the

gratifying fact that the persons to whom these pensions are going are men who rendered not slight but substantial war service.

The report of the Commissioner of Railroads shows that the total debt of the subsidized railroads to the United States was on December 31, 1890, $112,512,613.06. A large part of this debt is now fast approaching maturity, with no adequate provision for its payment. Some policy for dealing with this debt with a view to its ultimate collection should be at once adopted. It is very difficult, well-nigh impossible, for so large a body as the Congress to conduct the necessary negotiations and investigations. I therefore recommend that provision be made for the appointment of a commission to agree upon and report a plan for dealing with this debt.

The work of the Census Bureau is now far in advance and the great bulk of the enormous labor involved completed. It will be more strictly a statistical exhibit and less encumbered by essays than its immediate predecessors. The methods pursued have been fair, careful, and intelligent, and have secured the approval of the statisticians who have followed them with a scientific and nonpartisan interest. The appropriations necessary to the early completion and publication of the authorized volumes should be given in time to secure against delays, which increase the cost and at the same time diminish the value of the work.

The report of the Secretary exhibits with interesting fullness the condition of the Territories. They have shared with the States the great increase in farm products, and are bringing yearly large areas into cultivation by extending their irrigating canals. This work is being done by individuals or local corporations and without that system which a full preliminary survey of the water supply and of the irrigable lands would enable them to adopt. The future of the Territories of New Mexico, Arizona, and Utah in their material growth and in the increase, independence, and happiness of their people is very largely dependent upon wise and timely legislation, either by Congress or their own legislatures, regulating the distribution of the water supply furnished by their streams. If this matter is much longer neglected, private corporations will have unrestricted control of one of the elements of life and the patentees of the arid lands will be tenants at will of the water companies.

The United States should part with its ownership of the water sources and the sites for reservoirs, whether to the States and Territories or to individuals or corporations, only upon conditions that will insure to the settlers their proper water supply upon equal and reasonable terms. In the Territories this whole subject is under the full control of Congress, and in the States it is practically so as long as the Government holds the title to the reservoir sites and water sources and can grant them upon such conditions as it chooses to impose. The improvident granting of franchises of enormous value without recompense to the State or municipality from which they proceed and without proper

protection of the public interests is the most noticeable and flagrant evil of modern legislation. This fault should not be committed in dealing with a subject that will before many years affect so vitally thousands of our people.

The legislation of Congress for the repression of polygamy has, after years of resistance on the part of the Mormons, at last brought them to the conclusion that resistance is unprofitable and unavailing. The power of Congress over this subject should not be surrendered until we have satisfactory evidence that the people of the State to be created would exercise the exclusive power of the State over this subject in the same way. The question is not whether these people now obey the laws of Congress against polygamy, but rather would they make, enforce, and maintain such laws themselves if absolutely free to regulate the subject? We can not afford to experiment with this subject, for when a State is once constituted the act is final and any mistake irretrievable. No compact in the enabling act could, in my opinion, be binding or effective.

I recommend that provision be made for the organization of a simple form of town government in Alaska, with power to regulate such matters as are usually in the States under municipal control. These local civil organizations will give better protection in some matters than the present skeleton Territorial organization. Proper restrictions as to the power to levy taxes and to create debt should be imposed.

If the establishment of the Department of Agriculture was regarded by anyone as a mere concession to the unenlightened demand of a worthy class of people, that impression has been most effectually removed by the great results already attained. Its home influence has been very great in disseminating agricultural and horticultural information, in stimulating and directing a further diversification of crops, in detecting and eradicating diseases of domestic animals, and, more than all, in the close and informal contact which it has established and maintains with the farmers and stock raisers of the whole country. Every request for information has had prompt attention and every suggestion merited consideration. The scientific corps of the Department is of a high order and is pushing its investigations with method and enthusiasm.

The inspection by this Department of cattle and pork products intended for shipment abroad has been the basis of the success which has attended our efforts to secure the removal of the restrictions maintained by the European Governments.

For ten years protests and petitions upon this subject from the packers and stock raisers of the United States have been directed against these restrictions, which so seriously limited our markets and curtailed the profits of the farm. It is a source of general congratulation that success has at last been attained, for the effects of an enlarged foreign market for these meats will be felt not only by the farmer, but in our public finances and in every branch of trade. It is particularly fortunate that

the increased demand for food products resulting from the removal of the restrictions upon our meats and from the reciprocal trade arrangements to which I have referred should have come at a time when the agricultural surplus is so large. Without the help thus derived lower prices would have prevailed. The Secretary of Agriculture estimates that the restrictions upon the importation of our pork products into Europe lost us a market for $20,000,000 worth of these products annually.

The grain crop of this year was the largest in our history—50 per cent greater than that of last year—and yet the new markets that have been opened and the larger demand resulting from short crops in Europe have sustained prices to such an extent that the enormous surplus of meats and breadstuffs will be marketed at good prices, bringing relief and prosperity to an industry that was much depressed. The value of the grain crop of the United States is estimated by the Secretary to be this year $500,000,000 more than last; of meats $150,000,000 more, and of all products of the farm $700,000,000 more. It is not inappropriate, I think, here to suggest that our satisfaction in the contemplation of this marvelous addition to the national wealth is unclouded by any suspicion of the currency by which it is measured and in which the farmer is paid for the products of his fields.

The report of the Civil Service Commission should receive the careful attention of the opponents as well as the friends of this reform. The Commission invites a personal inspection by Senators and Representatives of its records and methods, and every fair critic will feel that such an examination should precede a judgment of condemnation either of the system or its administration. It is not claimed that either is perfect, but I believe that the law is being executed with impartiality and that the system is incomparably better and fairer than that of appointments upon favor. I have during the year extended the classified service to include superintendents, teachers, matrons, and physicians in the Indian service. This branch of the service is largely related to educational and philanthropic work and will obviously be the better for the change.

The heads of the several Executive Departments have been directed to establish at once an efficiency record as the basis of a comparative rating of the clerks within the classified service, with a view to placing promotions therein upon the basis of merit. I am confident that such a record, fairly kept and open to the inspection of those interested, will powerfully stimulate the work of the Departments and will be accepted by all as placing the troublesome matter of promotions upon a just basis.

I recommend that the appropriation for the Civil Service Commission be made adequate to the increased work of the next fiscal year.

I have twice before urgently called the attention of Congress to the necessity of legislation for the protection of the lives of railroad employees, but nothing has yet been done. During the year ending June 30, 1890, 369 brakemen were killed and 7,841 maimed while engaged in

coupling cars. The total number of railroad employees killed during the year was 2,451 and the number injured 22,390. This is a cruel and largely needless sacrifice. The Government is spending nearly $1,000,000 annually to save the lives of shipwrecked seamen; every steam vessel is rigidly inspected and required to adopt the most approved safety appliances. All this is good. But how shall we excuse the lack of interest and effort in behalf of this army of brave young men who in our land commerce are being sacrificed every year by the continued use of antiquated and dangerous appliances? A law requiring of every railroad engaged in interstate commerce the equipment each year of a given per cent of its freight cars with automatic couplers and air brakes would compel an agreement between the roads as to the kind of brakes and couplers to be used, and would very soon and very greatly reduce the present fearful death rate among railroad employees.

The method of appointment by the States of electors of President and Vice-President has recently attracted renewed interest by reason of a departure by the State of Michigan from the method which had become uniform in all the States. Prior to 1832 various methods had been used by the different States, and even by the same State. In some the choice was made by the legislature; in others electors were chosen by districts, but more generally by the voters of the whole State upon a general ticket. The movement toward the adoption of the last-named method had an early beginning and went steadily forward among the States until in 1832 there remained but a single State (South Carolina) that had not adopted it. That State until the Civil War continued to choose its electors by a vote of the legislature, but after the war changed its method and conformed to the practice of the other States. For nearly sixty years all the States save one have appointed their electors by a popular vote upon a general ticket, and for nearly thirty years this method was universal.

After a full test of other methods, without important division or dissent in any State and without any purpose of party advantage, as we must believe, but solely upon the considerations that uniformity was desirable and that a general election in territorial divisions not subject to change was most consistent with the popular character of our institutions, best preserved the equality of the voters, and perfectly removed the choice of President from the baneful influence of the "gerrymander," the practice of all the States was brought into harmony. That this concurrence should now be broken is, I think, an unfortunate and even a threatening episode, and one that may well suggest whether the States that still give their approval to the old and prevailing method ought not to secure by a constitutional amendment a practice which has had the approval of all. The recent Michigan legislation provides for choosing what are popularly known as the Congressional electors for President by Congressional districts and the two Senatorial electors by districts

created for that purpose. This legislation was, of course, accompanied by a new Congressional apportionment, and the two statutes bring the electoral vote of the State under the influence of the "gerrymander."

These gerrymanders for Congressional purposes are in most cases buttressed by a gerrymander of the legislative districts, thus making it impossible for a majority of the legal voters of the State to correct the apportionment and equalize the Congressional districts. A minority rule is established that only a political convulsion can overthrow. I have recently been advised that in one county of a certain State three districts for the election of members of the legislature are constituted as follows: One has 65,000 population, one 15,000, and one 10,000, while in another county detached, noncontiguous sections have been united to make a legislative district. These methods have already found effective application to the choice of Senators and Representatives in Congress, and now an evil start has been made in the direction of applying them to the choice by the States of electors of President and Vice-President. If this is accomplished, we shall then have the three great departments of the Government in the grasp of the "gerrymander," the legislative and executive directly and the judiciary indirectly through the power of appointment.

An election implies a body of electors having prescribed qualifications, each one of whom has an equal value and influence in determining the result. So when the Constitution provides that "each State shall appoint" (elect), "in such manner as the legislature thereof may direct, a number of electors," etc., an unrestricted power was not given to the legislatures in the selection of the methods to be used. "A republican form of government" is guaranteed by the Constitution to each State, and the power given by the same instrument to the legislatures of the States to prescribe methods for the choice by the State of electors must be exercised under that limitation. The essential features of such a government are the right of the people to choose their own officers and the nearest practicable equality of value in the suffrages given in determining that choice.

It will not be claimed that the power given to the legislature would support a law providing that the persons receiving the smallest vote should be the electors or a law that all the electors should be chosen by the voters of a single Congressional district. The State is to choose, and under the pretense of regulating methods the legislature can neither vest the right of choice elsewhere nor adopt methods not conformable to republican institutions. It is not my purpose here to discuss the question whether a choice by the legislature or by the voters of equal single districts is a choice by the State, but only to recommend such regulation of this matter by constitutional amendment as will secure uniformity and prevent that disgraceful partisan jugglery to which such a liberty of choice, if it exists, offers a temptation.

Nothing just now is more important than to provide every guaranty for the absolutely fair and free choice by an equal suffrage within the respective States of all the officers of the National Government, whether that suffrage is applied directly, as in the choice of members of the House of Representatives, or indirectly, as in the choice of Senators and electors of President. Respect for public officers and obedience to law will not cease to be the characteristics of our people until our elections cease to declare the will of majorities fairly ascertained without fraud, suppression, or gerrymander. If I were called upon to declare wherein our chief national danger lies, I should say without hesitation in the overthrow of majority control by the suppression or perversion of the popular suffrage. That there is a real danger here all must agree; but the energies of those who see it have been chiefly expended in trying to fix responsibility upon the opposite party rather than in efforts to make such practices impossible by either party.

Is it not possible now to adjourn that interminable and inconclusive debate while we take by consent one step in the direction of reform by eliminating the gerrymander, which has been denounced by all parties as an influence in the selection of electors of President and members of Congress? All the States have, acting freely and separately, determined that the choice of electors by a general ticket is the wisest and safest method, and it would seem there could be no objection to a constitutional amendment making that method permanent. If a legislature chosen in one year upon purely local questions should, pending a Presidential contest, meet, rescind the law for a choice upon a general ticket, and provide for the choice of electors by the legislature, and this trick should determine the result, it is not too much to say that the public peace might be seriously and widely endangered.

I have alluded to the "gerrymander" as affecting the method of selecting electors of President by Congressional districts, but the primary intent and effect of this form of political robbery have relation to the selection of members of the House of Representatives. The power of Congress is ample to deal with this threatening and intolerable abuse. The unfailing test of sincerity in election reform will be found in a willingness to confer as to remedies and to put into force such measures as will most effectually preserve the right of the people to free and equal representation.

An attempt was made in the last Congress to bring to bear the constitutional powers of the General Government for the correction of fraud against the suffrage. It is important to know whether the opposition to such measures is really rested in particular features supposed to be objectionable or includes any proposition to give to the election laws of the United States adequacy to the correction of grave and acknowledged evils. I must yet entertain the hope that it is possible to secure a calm, patriotic consideration of such constitutional or statutory changes as may

be necessary to secure the choice of the officers of the Government to the people by fair apportionments and free elections.

I believe it would be possible to constitute a commission, nonpartisan in its membership and composed of patriotic, wise, and impartial men, to whom a consideration of the question of the evils connected with our election system and methods might be committed with a good prospect of securing unanimity in some plan for removing or mitigating those evils. The Constitution would permit the selection of the commission to be vested in the Supreme Court if that method would give the best guaranty of impartiality. This commission should be charged with the duty of inquiring into the whole subject of the law of elections as related to the choice of officers of the National Government, with a view to securing to every elector a free and unmolested exercise of the suffrage and as near an approach to an equality of value in each ballot cast as is attainable.

While the policies of the General Government upon the tariff, upon the restoration of our merchant marine, upon river and harbor improvements, and other such matters of grave and general concern are liable to be turned this way or that by the results of Congressional elections and administrative policies, sometimes involving issues that tend to peace or war, to be turned this way or that by the results of a Presidential election, there is a rightful interest in all the States and in every Congressional district that will not be deceived or silenced by the audacious pretense that the question of the right of any body of legal voters in any State or in any Congressional district to give their suffrages freely upon these general questions is a matter only of local concern or control. The demand that the limitations of suffrage shall be found in the law, and only there, is a just demand, and no just man should resent or resist it. My appeal is and must continue to be for a consultation that shall "proceed with candor, calmness, and patience upon the lines of justice and humanity, not of prejudice and cruelty."

To the consideration of these very grave questions I invite not only the attention of Congress, but that of all patriotic citizens. We must not entertain the delusion that our people have ceased to regard a free ballot and equal representation as the price of their allegiance to laws and to civil magistrates.

I have been greatly rejoiced to notice many evidences of the increased unification of our people and of a revived national spirit. The vista that now opens to us is wider and more glorious than ever before. Gratification and amazement struggle for supremacy as we contemplate the population, wealth, and moral strength of our country. A trust momentous in its influence upon our people and upon the world is for a brief time committed to us, and we must not be faithless to its first condition—the defense of the free and equal influence of the people in the choice of public officers and in the control of public affairs.

BENJ. HARRISON.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 16, 1891.*

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing the first annual report and copies of the bulletins of the Bureau of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

To the Senate and House of Representatives:

I transmit herewith the report of the board appointed by me under a clause in the District of Columbia appropriation act approved August 6, 1890, "to consider the location, arrangement, and operation of electric wires in the District of Columbia," etc., to which the attention of Congress is respectfully invited.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

To the Senate and House of Representatives:

My attention having been called to the necessity of bringing about a uniform usage and spelling of geographic names in the publications of the Government, the following Executive order was issued on the 4th day of September, 1890:

As it is desirable that uniform usage in regard to geographic nomenclature and orthography obtain throughout the Executive Departments of the Government, and particularly upon the maps and charts issued by the various Departments and bureaus, I hereby constitute a Board on Geographic Names and designate the following persons, who have heretofore cooperated for a similar purpose under the authority of the several Departments, bureaus, and institutions with which they are connected, as members of said board:

Professor Thomas C. Mendenhall, United States Coast and Geodetic Survey, chairman.

Andrew H. Allen, Department of State.

Captain Henry L. Howison, Light-House Board, Treasury Department.

Captain Thomas Turtle, Engineer Corps, War Department.

Lieutenant Richardson Clover, Hydrographic Office, Navy Department.

Pierson H. Bristow, Post-Office Department.

Otis T. Mason, Smithsonian Institution.

Herbert G. Ogden, United States Coast and Geodetic Survey.

Henry Gannett, United States Geological Survey.

Marcus Baker, United States Geological Survey.

To this board shall be referred all unsettled questions concerning geographic names which arise in the Departments, and the decisions of the board are to be accepted by these Departments as the standard authority in such matters.

Department officers are instructed to afford such assistance as may be proper to carry on the work of this board.

The members of this board shall serve without additional compensation and its organization shall entail no expense on the Government.

The report of the board thus constituted has been submitted to me, and is herewith transmitted for the information of Congress and with a view to its publication in suitable form if such action is deemed by Congress to be desirable.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 5, 1892.*

To the Senate and House of Representatives:

The famine prevailing in some of the Provinces of Russia is so severe and widespread as to have attracted the sympathetic interest of a large number of our liberal and favored people. In some of the great grain-producing States of the West movements have already been organized to collect flour and meal for the relief of these perishing Russian families, and the response has been such as to justify the belief that a ship's cargo can very soon be delivered at the seaboard through the generous cooperation of the transportation lines. It is most appropriate that a people whose storehouses have been so lavishly filled with all the fruits of the earth by the gracious favor of God should manifest their gratitude by large gifts to His suffering children in other lands.

The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be authorized to charter a suitable vessel to receive them if a sufficient amount should be offered, and to send them under the charge of a naval officer to such Russian port as may be most convenient for ready distribution to those most in need.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Wichita and affiliated bands of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, submitting the

agreement entered into between the Indians of the Colville Reservation, in the State of Washington, and the commissioners appointed under the provisions of the act of August 19, 1890, to negotiate with them for the cession of such portion of said reservation as said Indians may be willing to dispose of, that the same may be opened to white settlement.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, accompanied by an agreement concluded by the Cherokee Commission with the Tonkawa Indians in Oklahoma Territory, for the cession of all their right, title, claim, and interest of every kind and character in and to the lands occupied by them in said Territory, and for other purposes.

BENJ. HARRISON

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 8th instant from the Secretary of the Interior, submitting the agreements concluded by and between the Cherokee Commission and the Kickapoo tribe of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, submitting the agreement entered into between the Indians of the Pyramid Lake Reservation and the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of the southern portion of their reservation in the State of Nevada.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, submitting the agreement entered into between the Shoshone and Arapahoe Indians of the Shoshone or Wind River Reservation, in the State of Wyoming, and

the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of a portion of their said reservation.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington. January 18, 1892.

To the Senate of the United States:

I transmit herewith to the Senate a report of the Secretary of State, in answer to the resolution of the Senate of the 12th instant, making inquiries regarding payments of the awards of the claims commission under the convention of July 4, 1868, between the United States and Mexico.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 19, 1892.*

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of the Navy, accompanied by the report of the commission appointed by me by virtue of a provision in the naval appropriation act approved June 30, 1890, "to select a suitable site, having due regard to commercial and naval interests, for a dry dock at some point on the shores of the Gulf of Mexico or the waters connected therewith."

The Secretary of the Navy approves the recommendations of the commission, and they are respectfully submitted for the consideration of the Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

To the Senate and House of Representatives:

In my annual message delivered to Congress at the beginning of the present session, after a brief statement of the facts then in the possession of this Government touching the assault in the streets of Valparaiso, Chile, upon the sailors of the United States steamship *Baltimore* on the evening of the 16th of October last, I said:

> This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will by a special message bring this matter again to the attention of Congress for such action as may be necessary.

In my opinion the time has now come when I should lay before the Congress and the country the correspondence between this Government and

the Government of Chile from the time of the breaking out of the revolution against Balmaceda, together with all other facts in the possession of the executive department relating to this matter. The diplomatic correspondence is herewith transmitted, together with some correspondence between the naval officers for the time in command in Chilean waters and the Secretary of the Navy, and also the evidence taken at the Mare Island Navy-Yard since the arrival of the *Baltimore* at San Francisco. I do not deem it necessary in this communication to attempt any full analysis of the correspondence or of the evidence. A brief restatement of the international questions involved and of the reasons why the responses of the Chilean Government are unsatisfactory is all that I deem necessary.

It may be well at the outset to say that whatever may have been said in this country or in Chile in criticism of Mr. Egan, our minister at Santiago, the true history of this exciting period in Chilean affairs from the outbreak of the revolution until this time discloses no act on the part of Mr. Egan unworthy of his position or that could justly be the occasion of serious animadversion or criticism. He has, I think, on the whole borne himself in very trying circumstances with dignity, discretion, and courage, and has conducted the correspondence with ability, courtesy, and fairness.

It is worth while also at the beginning to say that the right of Mr. Egan to give shelter in the legation to certain adherents of the Balmaceda Government who applied to him for asylum has not been denied by the Chilean authorities, nor has any demand been made for the surrender of these refugees. That there was urgent need of asylum is shown by Mr. Egan's note of August 24, 1891, describing the disorders that prevailed in Santiago, and by the evidence of Captain Schley as to the pillage and violence that prevailed at Valparaiso. The correspondence discloses, however, that the request of Mr. Egan for a safe conduct from the country in behalf of these refugees was denied. The precedents cited by him in the correspondence, particularly the case of the revolution in Peru in 1865, did not leave the Chilean Government in a position to deny the right of asylum to political refugees, and seemed very clearly to support Mr. Egan's contention that a safe conduct to neutral territory was a necessary and acknowledged incident of the asylum. These refugees have very recently, without formal safe conduct, but by the acquiescence of the Chilean authorities, been placed on board the *Yorktown*, and are now being conveyed to Callao, Peru. This incident might be considered wholly closed but for the disrespect manifested toward this Government by the close and offensive police surveillance of the legation premises which was maintained during most of the period of the stay of the refugees therein. After the date of my annual message, and up to the time of the transfer of the refugees to the *Yorktown*, the legation premises seemed to have been surrounded by police in uniform and police agents or detectives in citizen's dress, who offensively scrutinized persons enter-

ing or leaving the legation, and on one or more occasions arrested members of the minister's family. Commander Evans, who by my direction recently visited Mr. Egan at Santiago, in his telegram to the Navy Department described the legation as "a veritable prison," and states that the police agents or detectives were after his arrival withdrawn during his stay. It appears further from the note of Mr. Egan of November 20, 1891, that on one occasion at least these police agents, whom he declares to be known to him, invaded the legation premises, pounding upon its windows and using insulting and threatening language toward persons therein. This breach of the right of a minister to freedom from police espionage and restraint seems to have been so flagrant that the Argentine minister, who was dean of the diplomatic corps, having observed it, felt called upon to protest against it to the Chilean minister of foreign affairs. The Chilean authorities have, as will be observed from the correspondence, charged the refugees and the inmates of the legation with insulting the police; but it seems to me incredible that men whose lives were in jeopardy and whose safety could only be secured by retirement and quietness should have sought to provoke a collision, which could only end in their destruction, or to aggravate their condition by intensifying a popular feeling that at one time so threatened the legation as to require Mr. Egan to appeal to the minister of foreign affairs.

But the most serious incident disclosed by the correspondence is that of the attack upon the sailors of the *Baltimore* in the streets of Valparaiso on the 16th of October last. In my annual message, speaking upon the information then in my possession, I said:

> So far as I have yet been able to learn, no other explanation of this bloody work has been suggested than that it had its origin in hostility to those men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity.

We have now received from the Chilean Government an abstract of the conclusions of the fiscal general upon the testimony taken by the judge of crimes in an investigation which was made to extend over nearly three months. I very much regret to be compelled to say that this report does not enable me to modify the conclusion announced in my annual message. I am still of the opinion that our sailors were assaulted, beaten, stabbed, and killed not for anything they or any one of them had done, but for what the Government of the United States had done or was charged with having done by its civil officers and naval commanders. If that be the true aspect of the case, the injury was to the Government of the United States, not to these poor sailors who were assaulted in a manner so brutal and so cowardly.

Before attempting to give an outline of the facts upon which this conclusion rests I think it right to say a word or two upon the legal aspect of the case. The *Baltimore* was in the harbor of Valparaiso by virtue of that general invitation which nations are held to extend to the war

vessels of other powers with which they have friendly relations. This invitation, I think, must be held ordinarily to embrace the privilege of such communication with the shore as is reasonable, necessary, and proper for the comfort and convenience of the officers and men of such vessels. Captain Schley testifies that when his vessel returned to Valparaiso on September 14 the city officers, as is customary, extended the hospitalities of the city to his officers and crew. It is not claimed that every personal collision or injury in which a sailor or officer of such naval vessel visiting the shore may be involved raises an international question, but I am clearly of the opinion that where such sailors or officers are assaulted by a resident populace, animated by hostility to the government whose uniform these sailors and officers wear and in resentment of acts done by their government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity, not in a secondary way, as where a citizen is injured and presents his claim through his own government, but in a primary way, precisely as if its minister or consul or the flag itself had been the object of the same character of assault.

The officers and sailors of the *Baltimore* were in the harbor of Valparaiso under the orders of their Government, not by their own choice. They were upon the shore by the implied invitation of the Government of Chile and with the approval of their commanding officer; and it does not distinguish their case from that of a consul that his stay is more permanent or that he holds the express invitation of the local government to justify his longer residence. Nor does it affect the question that the injury was the act of a mob. If there had been no participation by the police or military in this cruel work and no neglect on their part to extend protection, the case would still be one, in my opinion, when its extent and character are considered, involving international rights

The incidents of the affair are briefly as follows:

On the 16th of October last Captain Schley, commanding the United States steamship *Baltimore*, gave shore leave to 117 petty officers and sailors of his ship. These men left the ship about 1.30 p. m. No incident of violence occurred, none of our men were arrested, no complaint was lodged against them, nor did any collision or outbreak occur until about 6 o'clock p. m. Captain Schley states that he was himself on shore and about the streets of the city until 5.30 p. m.; that he met very many of his men who were upon leave; that they were sober and were conducting themselves with propriety, saluting Chilean and other officers as they met them. Other officers of the ship and Captain Jenkins, of the merchant ship *Keweenaw*, corroborate Captain Schley as to the general sobriety and good behavior of our men. The Sisters of Charity at the hospital to which our wounded men were taken when inquired of stated that they were sober when received. If the situation had been otherwise, we must believe that the Chilean police authorities would have made arrests. About 6 p. m. the assault began, and it is remarkable that the

investigation by the judge of crimes, though so protracted, does not enable him to give any more satisfactory account of its origin than is found in the statement that it began between drunken sailors. Repeatedly in the correspondence it is asserted that it was impossible to learn the precise cause of the riot. The minister of foreign affairs, Matta, in his telegram to Mr. Montt under date December 31, states that the quarrel began between two sailors in a tavern and was continued in the street, persons who were passing joining in it.

The testimony of Talbot, an apprentice, who was with Riggin, is that the outbreak in which they were involved began by a Chilean sailor's spitting in the face of Talbot, which was resented by a knockdown. It appears that Riggin and Talbot were at the time unaccompanied by others of their shipmates. These two men were immediately beset by a crowd of Chilean citizens and sailors, through which they broke their way to a street car, and entered it for safety. They were pursued, driven from the car, and Riggin was so seriously beaten that he fell in the street apparently dead. There is nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears from Chilean sources that almost instantly, with a suddenness that strongly implies meditation and preparation, a mob, stated by the police authorities at one time to number 2,000 and at another 1,000, was engaged in the assault upon our sailors, who are represented as resisting "with stones, clubs, and bright arms." The report of the *intendente* of October 30 states that the fight began at 6 p. m. in three streets, which are named; that information was received at the *intendencia* at 6.15, and that the police arrived on the scene at 6.30, a full half hour after the assault began. At that time he says that a mob of 2,000 men had collected, and that for several squares there was the appearance of a "real battlefield."

The scene at this point is very graphically set before us by the Chilean testimony. The American sailors, who after so long an examination have not been found guilty of any breach of the peace so far as the Chilean authorities are able to discover, unarmed and defenseless, are fleeing for their lives, pursued by overwhelming numbers, and fighting only to aid their own escape from death or to succor some mate whose life is in greater peril. Eighteen of them are brutally stabbed and beaten, while one Chilean seems from the report to have suffered some injury, but how serious or with what character of weapon, or whether by a missile thrown by our men or by some of his fellow-rioters, is unascertained.

The pretense that our men were fighting "with stones, clubs, and bright arms" is in view of these facts incredible. It is further refuted by the fact that our prisoners when searched were absolutely without arms, only seven penknives being found in the possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back, and almost every contused wound was in the back or back of the head. The evidence of the ship's

officer of the day is that even the jackknives of the men were taken from them before leaving the ship.

As to the brutal nature of the treatment received by our men, the following extract from the account given of the affair by the La Patria newspaper, of Valparaiso, of October 17, can not be regarded as too friendly:

> The Yankees, as soon as their pursuers gave chase, went by way of the Calle del Arsenal toward the city car station. In the presence of an ordinary number of citizens, among whom were some sailors, the North Americans took seats in the street car to escape from the stones which the Chileans threw at them. It was believed for an instant that the North Americans had saved themselves from popular fury, but such was not the case. Scarcely had the car begun to move when a crowd gathered around and stopped its progress. Under these circumstances and without any cessation of the howling and throwing of stones at the North Americans, the conductor entered the car, and, seeing the risk of the situation to the vehicle, ordered them to get out. At the instant the sailors left the car, in the midst of a hail of stones, the said conductor received a stone blow on the head. One of the Yankee sailors managed to escape in the direction of the Plaza Wheelright, but the other was felled to the ground by a stone. Managing to raise himself from the ground where he lay, he staggered in an opposite direction from the station. In front of the house of Señor Mazzini he was again wounded, falling then senseless and breathless.

No amount of evasion or subterfuge is able to cloud our clear vision of this brutal work. It should be noticed in this connection that the American sailors arrested, after an examination, were during the four days following the arrest every one discharged, no charge of any breach of the peace or other criminal conduct having been sustained against a single one of them. The judge of crimes, Foster, in a note to the *intendente* under date of October 22, before the dispatch from this Government of the following day, which aroused the authorities of Chile to a better sense of the gravity of the affair, says:

> Having presided temporarily over this court in regard to the seamen of the United States cruiser *Baltimore*, who have been tried on account of the deplorable conduct which took place, etc.

The noticeable point here is that our sailors had been tried before the 22d of October, and that the trial resulted in their acquittal and return to their vessel. It is quite remarkable and quite characteristic of the management of this affair by the Chilean police authorities that we should now be advised that Seaman Davidson, of the *Baltimore*, has been included in the indictment, his offense being, so far as I have been able to ascertain, that he attempted to defend a shipmate against an assailant who was striking at him with a knife. The perfect vindication of our men is furnished by this report. One only is found to have been guilty of criminal fault, and that for an act clearly justifiable.

As to the part taken by the police in the affair, the case made by Chile is also far from satisfactory. The point where Riggin was killed is only three minutes' walk from the police station, and not more than twice that distance from the *intendencia;* and yet according to their official report a full half hour elapsed after the assault began before the police were upon the ground. It has been stated that all but two of our men have said that the police did their duty. The evidence taken at

Mare Island shows that if such a statement was procured from our men it was accomplished by requiring them to sign a writing in a language they did not understand and by the representation that it was a mere declaration that they had taken no part in the disturbance. Lieutenant McCrea, who acted as interpreter, says in his evidence that when our sailors were examined before the court the subject of the conduct of the police was so carefully avoided that he reported the fact to Captain Schley on his return to the vessel.

The evidences of the existence of animosity toward our sailors in the minds of the sailors of the Chilean navy and of the populace of Valparaiso are so abundant and various as to leave no doubt in the mind of anyone who will examine the papers submitted. It manifested itself in threatening and insulting gestures toward our men as they passed the Chilean men-of-war in their boats and in the derisive and abusive epithets with which they greeted every appearance of an American sailor on the evening of the riot. Captain Schley reports that boats from the Chilean war ships several times went out of their course to cross the bows of his boats, compelling them to back water. He complained of the discourtesy, and it was corrected. That this feeling was shared by men of higher rank is shown by an incident related by Surgeon Stitt, of the *Baltimore*. After the battle of Placilla he, with other medical officers of the war vessels in the harbor, was giving voluntary assistance to the wounded in the hospitals. The son of a Chilean army officer of high rank was under his care, and when the father discovered it he flew into a passion and said he would rather have his son die than have Americans touch him, and at once had him removed from the ward. This feeling is not well concealed in the dispatches of the foreign office, and had quite open expression in the disrespectful treatment of the American legation. The Chilean boatmen in the bay refused, even for large offers of money, to return our sailors, who crowded the Mole, to their ship when they were endeavoring to escape from the city on the night of the assault. The market boats of the *Baltimore* were threatened, and even quite recently the gig of Commander Evans, of the *Yorktown*, was stoned while waiting for him at the Mole.

The evidence of our sailors clearly shows that the attack was expected by the Chilean people, that threats had been made against our men, and that in one case, somewhat early in the afternoon, the keeper of one house into which some of our men had gone closed his establishment in anticipation of the attack, which he advised them would be made upon them as darkness came on.

In a report of Captain Schley to the Navy Department he says:

> In the only interview that I had with Judge Foster, who is investigating the case relative to the disturbance, before he was aware of the entire gravity of the matter, he informed me that the assault upon my men was the outcome of hatred for our people among the lower classes because they thought we had sympathized with the Balmaceda Government on account of the *Itata* matter, whether with reason or without he could of course not admit; but such he thought was the explanation of the assault at that time.

Several of our men sought security from the mob by such complete or partial changes in their dress as would conceal the fact of their being seamen of the *Baltimore*, and found it then possible to walk the streets without molestation. These incidents conclusively establish that the attack was upon the uniform—the nationality—and not upon the men.

The origin of this feeling is probably found in the refusal of this Government to give recognition to the Congressional party before it had established itself, in the seizure of the *Itata* for an alleged violation of the neutrality law, in the cable incident, and in the charge that Admiral Brown conveyed information to Valparaiso of the landing at Quinteros. It is not my purpose to enter here any defense of the action of this Government in these matters. It is enough for the present purpose to say that if there was any breach of international comity or duty on our part it should have been made the subject of official complaint through diplomatic channels or for reprisals for which a full responsibility was assumed. We can not consent that these incidents and these perversions of the truth shall be used to excite a murderous attack upon our unoffending sailors and the Government of Chile go aquit of responsibility. In fact, the conduct of this Government during the war in Chile pursued those lines of international duty which we had so strongly insisted upon on the part of other nations when this country was in the throes of a civil conflict. We continued the established diplomatic relations with the government in power until it was overthrown, and promptly and cordially recognized the new government when it was established. The good offices of this Government were offered to bring about a peaceful adjustment, and the interposition of Mr. Egan to mitigate severities and to shelter adherents of the Congressional party was effective and frequent. The charge against Admiral Brown is too base to gain credence with anyone who knows his high personal and professional character.

Recurring to the evidence of our sailors, I think it is shown that there were several distinct assaults, and so nearly simultaneous as to show that they did not spread from one point. A press summary of the report of the fiscal shows that the evidence of the Chilean officials and others was in conflict as to the place of origin, several places being named by different witnesses as the locality where the first outbreak occurred. This if correctly reported shows that there were several distinct outbreaks, and so nearly at the same time as to cause this confusion. The La Patria, in the same issue from which I have already quoted, after describing the killing of Riggin and the fight which from that point extended to the Mole, says:

> At the same time in other streets of the port the Yankee sailors fought fiercely with the people of the town, who believed to see in them incarnate enemies of the Chilean navy.

The testimony of Captain Jenkins, of the American merchant ship *Keweenaw*, which had gone to Valparaiso for repairs, and who was a

witness of some part of the assault upon the crew of the *Baltimore*, is strongly corroborative of the testimony of our own sailors when he says that he saw Chilean sentries drive back a seaman seeking shelter upon a mob that was pursuing him. The officers and men of Captain Jenkins's ship furnish the most conclusive testimony as to the indignities which were practiced toward Americans in Valparaiso. When American sailors, even of merchant ships, can only secure their safety by denying their nationality, it must be time to readjust our relations with a government that permits such demonstrations.

As to the participation of the police, the evidence of our sailors shows that our men were struck and beaten by police officers before and after arrest, and that one at least was dragged with a lasso about his neck by a mounted policeman. That the death of Riggin was the result of a rifle shot fired by a policeman or soldier on duty is shown directly by the testimony of Johnson, in whose arms he was at the time, and by the evidence of Charles Langen, an American sailor, not then a member of the *Baltimore's* crew, who stood close by and saw the transaction. The Chilean authorities do not pretend to fix the responsibility of this shot upon any particular person, but avow their inability to ascertain who fired it further than that it was fired from a crowd. The character of the wound as described by one of the surgeons of the *Baltimore* clearly supports his opinion that it was made by a rifle ball, the orifice of exit being as much as an inch or an inch and a quarter in width. When shot the poor fellow was unconscious and in the arms of a comrade, who was endeavoring to carry him to a neighboring drug store for treatment. The story of the police that in coming up the street they passed these men and left them behind them is inconsistent with their own statement as to the direction of their approach and with their duty to protect them, and is clearly disproved. In fact Riggin was not behind but in front of the advancing force, and was not standing in the crowd, but was unconscious and supported in the arms of Johnson when he was shot.

The communications of the Chilean Government in relation to this cruel and disastrous attack upon our men, as will appear from the correspondence, have not in any degree taken the form of a manly and satisfactory expression of regret, much less of apology. The event was of so serious a character that if the injuries suffered by our men had been wholly the result of an accident in a Chilean port the incident was grave enough to have called for some public expression of sympathy and regret from the local authorities. It is not enough to say that the affair was lamentable, for humanity would require that expression even if the beating and killing of our men had been justifiable. It is not enough to say that the incident is regretted, coupled with the statement that the affair was not of an unusual character in ports where foreign sailors are accustomed to meet. It is not for a generous and sincere government to seek for words of small or equivocal meaning in which to convey to a friendly

power an apology for an offense so atrocious as this. In the case of the assault by a mob in New Orleans upon the Spanish consulate in 1851, Mr. Webster wrote to the Spanish minister, Mr. Calderon, that the acts complained of were "a disgraceful and flagrant breach of duty and propriety," and that his Government "regrets them as deeply as Minister Calderon or his Government could possibly do;" that "these acts have caused the President great pain, and he thinks a proper acknowledgment is due to Her Majesty's Government." He invited the Spanish consul to return to his post, guaranteeing protection, and offered to salute the Spanish flag if the consul should come in a Spanish vessel. Such a treatment by the Government of Chile of this assault would have been more creditable to the Chilean authorities, and much less can hardly be satisfactory to a government that values its dignity and honor.

In our note of October 23 last, which appears in the correspondence, after receiving the report of the board of officers appointed by Captain Schley to investigate the affair, the Chilean Government was advised of the aspect which it then assumed and called upon for any facts in its possession that might tend to modify the unfavorable impressions which our report had created. It is very clear from the correspondence that before the receipt of this note the examination was regarded by the police authorities as practically closed. It was, however, reopened and protracted through a period of nearly three months. We might justly have complained of this unreasonable delay; but in view of the fact that the Government of Chile was still provisional, and with a disposition to be forbearing and hopeful of a friendly termination, I have awaited the report, which has but recently been made.

On the 21st instant I caused to be communicated to the Government of Chile by the American minister at Santiago the conclusions of this Government after a full consideration of all the evidence and of every suggestion affecting this matter, and to these conclusions I adhere. They were stated as follows:

First. That the assault is not relieved of the aspect which the early information of the event gave to it, viz, that of an attack upon the uniform of the United States Navy having its origin and motive in a feeling of hostility to this Government, and not in any act of the sailors or of any of them.

Second. That the public authorities of Valparaiso flagrantly failed in their duty to protect our men, and that some of the police and of the Chilean soldiers and sailors were themselves guilty of unprovoked assaults upon our sailors before and after arrest. He [the President] thinks the preponderance of the evidence and the inherent probabilities lead to the conclusion that Riggin was killed by the police or soldiers.

Third. That he [the President] is therefore compelled to bring the case back to the position taken by this Government in the note of Mr. Wharton of October 23 last * * * and to ask for a suitable apology and for some adequate reparation for the injury done to this Government.

In the same note the attention of the Chilean Government was called to the offensive character of a note addressed by Mr. Matta, its minister

of foreign affairs, to Mr. Montt, its minister at this capital, on the 11th ultimo. This dispatch was not officially communicated to this Government, but as Mr. Montt was directed to translate it and to give it to the press of the country it seemed to me that it could not pass without official notice. It was not only undiplomatic, but grossly insulting to our naval officers and to the executive department, as it directly imputed untruth and insincerity to the reports of the naval officers and to the official communications made by the executive department to Congress. It will be observed that I have notified the Chilean Government that unless this note is at once withdrawn and an apology as public as the offense made I will terminate diplomatic relations.

The request for the recall of Mr. Egan upon the ground that he was not *persona grata* was unaccompanied by any suggestion that could properly be used in support of it, and I infer that the request is based upon official acts of Mr. Egan which have received the approval of this Government. But however that may be, I could not consent to consider such a question until it had first been settled whether our correspondence with Chile could be conducted upon a basis of mutual respect.

In submitting these papers to Congress for that grave and patriotic consideration which the questions involved demand I desire to say that I am of the opinion that the demands made of Chile by this Government should be adhered to and enforced. If the dignity as well as the prestige and influence of the United States are not to be wholly sacrificed, we must protect those who in foreign ports display the flag or wear the colors of this Government against insult, brutality, and death inflicted in resentment of the acts of their Government and not for any fault of their own. It has been my desire in every way to cultivate friendly and intimate relations with all the Governments of this hemisphere. We do not covet their territory. We desire their peace and prosperity. We look for no advantage in our relations with them except the increased exchanges of commerce upon a basis of mutual benefit. We regret every civil contest that disturbs their peace and paralyzes their development, and are always ready to give our good offices for the restoration of peace. It must, however, be understood that this Government, while exercising the utmost forbearance toward weaker powers, will extend its strong and adequate protection to its citizens, to its officers, and to its humblest sailor when made the victims of wantonness and cruelty in resentment not of their personal misconduct, but of the official acts of their Government.

Upon information received that Patrick Shields, an Irishman and probably a British subject, but at the time a fireman of the American steamer *Keweenaw*, in the harbor of Valparaiso for repairs, had been subjected to personal injuries in that city, largely by the police, I directed the Attorney-General to cause the evidence of the officers and crew of that vessel to be taken upon its arrival in San Francisco, and that testimony is also

herewith transmitted. The brutality and even savagery of the treatment of this poor man by the Chilean police would be incredible if the evidence of Shields was not supported by other direct testimony and by the distressing condition of the man himself when he was finally able to reach his vessel. The captain of the vessel says:

> He came back a wreck, black from his neck to his hips from beating, weak and stupid, and is still in a kind of paralyzed condition, and has never been able to do duty since.

A claim for reparation has been made in behalf of this man, for while he was not a citizen of the United States, the doctrine long held by us, as expressed in the consular regulations, is:

> The principles which are maintained by this Government in regard to the protection, as distinguished from the relief, of seaman are well settled. It is held that the circumstance that the vessel is American is evidence that the seamen on board are such, and in every regularly documented merchant vessel the crew will find their protection in the flag that covers them.

I have as yet received no reply to our note of the 21st instant, but in my opinion I ought not to delay longer to bring these matters to the attention of Congress for such action as may be deemed appropriate.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 23d instant from the Secretary of the Interior, submitting an extract from the report of the commission appointed under the act of January 12, 1891, entitled "An act for the relief of the Mission Indians in the State of California," and other papers relating to the exchange of lands with private individuals and the purchase of certain lands and improvements for the use and benefit of the Mission Indians, with draft of a bill to carry into effect the recommendations of said Mission Commission.

I have approved the report of the Mission Commission, except as much as relates to the purchase of lands from and exchange of lands with private individuals, which is also approved subject to the condition that Congress shall authorize the same.

The matter is presented with the recommendation for the early and favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

To the Senate of the United States:

Referring to a communication of June 11, 1890, concerning the adoption by the Committee on Foreign Relations of a resolution respecting

the claim of William Webster against the Government of Great Britain, I herewith transmit a report of the Secretary of State, with accompanying documents, showing the action taken under that resolution.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State, with accompaniments, in relation to the claim of the representatives of the late Hon. James Crooks, a British subject, against the Government of the United States for the seizure of the steamer *Lord Nelson* in 1812.

The favorable action of the Fiftieth and Fifty-first Congresses upon the bills heretofore introduced for the relief of the claimants makes it proper that I should recommend it anew for the consideration and final disposition of the present Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 28, 1892.*

To the Senate and House of Representatives:

I transmit herewith additional correspondence between this Government and the Government of Chile, consisting of a note of Mr. Montt, the Chilean minister at this capital, to Mr. Blaine, dated January 23; a reply of Mr. Blaine thereto of date January 27, and a dispatch from Mr. Egan, our minister at Santiago, transmitting the response of Mr. Pereira, the Chilean minister of foreign affairs, to the note of Mr. Blaine of January 21, which was received by me on the 26th instant. The note of Mr. Montt to Mr. Blaine, though dated January 23, was not delivered at the State Department until after 12 o'clock m. of the 25th, and was not translated and its receipt notified to me until late in the afternoon of that day.

The response of Mr. Pereira to our note of the 21st withdraws, with acceptable expressions of regret, the offensive note of Mr. Matta of the 11th ultimo, and also the request for the recall of Mr. Egan. The treatment of the incident of the assault upon the sailors of the *Baltimore* is so conciliatory and friendly that I am of the opinion that there is a good prospect that the differences growing out of that serious affair can now be adjusted upon terms satisfactory to this Government by the usual methods and without special powers from Congress. This turn in the affair is very gratifying to me, as I am sure it will be to the Congress and to our people. The general support of the efforts of the Executive to enforce the just rights of the nation in this matter has given an instructive and useful illustration of the unity and patriotism of our people.

Should it be necessary I will again communicate with Congress upon the subject.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 2, 1892.*

To the Senate of the United States:

In reply to a resolution of the Senate of the 27th ultimo, requesting the President "to advise the Senate as to what action, if any, has been taken * * * to cause careful soundings to be made between San Francisco, Cal., and Honolulu * * * for the purpose of determining the practicability of laying a telegraphic cable between those two points, or between any point on the Pacific coast and the Kingdom of the Hawaiian Islands," I inclose herewith a communication from the Secretary of the Navy, dated January 30, 1892.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 9, 1892.*

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of the 13th of January last, a report from the Secretary of State and accompanying papers.*

BENJ. HARRISON.

EXECUTIVE MANSION, *February 10, 1892.*

To the Senate and House of Representatives:

I transmit herewith, as required by law, a communication of the 6th instant from the Secretary of the Interior, with the report of the Puyallup Indian Commission and accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 16, 1892.*

To the Senate and House of Representatives:

There was passed by the last Congress "An act for the protection of the lives of the miners in the Territories," which was approved by me on the 3d day of March, 1891. That no appropriation was made to enable me to carry the act into effect resulted, I suppose, from the fact that it was passed so late in the session. This law recognizes the necessity of a responsible public inspection and supervision of the business of mining in the interest of the miners, and is in line with the legislation of most of the States.

The work of the miner has its unavoidable incidents of discomfort and danger, and these should not be increased by the neglect of the owners to provide every practicable safety appliance. Economies which involve a sacrifice of human life are intolerable.

* Correspondence with Spain, Brazil, Salvador, and the Dominican Republic relative to reciprocal trade relations; copies of commercial arrangements entered into with those countries; list of import and export duties imposed by Brazil, Salvador, and the Dominican Republic, and by Spain with respect to Cuba and Puerto Rico.

I transmit herewith memorials from several hundred miners working in the coal mines in the Indian Territory, asking for the appointment of an inspector under the act referred to. The recent frightful disaster at Krebs, in that Territory, in which sixty-seven miners met a horrible death, gives urgency to their appeal, and I recommend that a special appropriation be at once made for the salaries and the necessary expenses of the inspectors provided for in the law.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 17, 1892.*

To the Senate and House of Representatives:

The Indian appropriation bill which was approved March 3, 1891, contains the following provision:

> And the sum of $2,991,450 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay the Choctaw and Chickasaw nations of Indians for all the right, title, interest, and claim which said nations of Indians may have in and to certain lands now occupied by the Cheyenne and Arapahoe Indians under Executive order, said lands lying south of the Canadian River, and now occupied by the said Cheyenne and Arapahoe Indians; said lands have been ceded in trust by article 3 of the treaty between the United States and said Choctaw and Chickasaw nations of Indians which was concluded April 28, 1866, and proclaimed on the 10th day of August of the same year, and whereof there remains, after deducting allotments as provided by said agreement, a residue ascertained by survey to contain 2,393,160 acres; three-fourths of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Choctaw Nation to receive the same, at such time and in such sums as directed and required by the legislative authority of said Choctaw Nation, and one-fourth of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Chickasaw Nation to receive the same, at such times and in such sums as directed and required by the legislative authority of said Chickasaw Nation; this appropriation to be immediately available and to become operative upon the execution by the duly appointed delegates of said respective nations specially authorized thereto by law of releases and conveyances to the United States of all the right, title, interest, and claim of said respective nations of Indians in and to said land (not including Greer County, which is now in dispute), in manner and form satisfactory to the President of the United States; and said releases and conveyances, when fully executed and delivered, shall operate to extinguish all claim of every kind and character of said Choctaw and Chickasaw nations of Indians in and to the tract of country to which said releases and conveyances shall apply.

If this section had been submitted to me as a separate measure, especially during the closing hours of the session, I should have disapproved it; but as the Congress was then in its last hours a disapproval of the general Indian appropriation bill, of which it was a part, would have resulted in consequences so far-reaching and disastrous that I felt it my duty to approve the bill. But as a duty was devolved upon me by the section quoted, viz, the acceptance and approval of the conveyances provided for, I have felt bound to look into the whole matter, and in view of the facts which I shall presently mention to postpone any Executive action

until these facts could be submitted to Congress. Very soon after the passage of the law it came to my knowledge that the Choctaw Legislature had entered into an agreement with three citizens of that tribe to pay to them as compensation for procuring this legislation 25 per cent of any appropriation that might be made by Congress. The amount to be secured by these three agents under this agreement out of the three-fourths interest in the appropriation of the Choctaw Nation is $560,896. I have information that a contract was made by the Chickasaws to pay about 10 per cent of their one-fourth interest to the agents and attorneys who represented them.

Within a month after the passage of the law R. J. Ward, one of the agents, who was to divide with his associates the enormous sum to be paid by the Choctaws, presented to me an affidavit dated April 4, 1891, which is herewith submitted. It appears from his statement that the action of the Choctaw Council in this matter was corruptly influenced by the execution of certain notes signed by Ward for himself and his associates in sums varying from $2,500 to $15,000. His associates deny any knowledge of this, but the giving and existence of these notes is not refuted. The statement of the two associates of Ward denying any knowledge or participation in this fraud is also submitted, together with other papers relating to the matter. Whatever may be the fact as to the use or nonuse of corrupt methods to secure this legislation from the Choctaw Council, I do not think the Congress of the United States should so legislate upon this matter as to give effect to such a contract, which I am sure must have been unnoticed when the measure was pending. If the relations of these Indians to the United States are those of a ward, Congress should protect them from such extortionate exactions. We can not assume that the expenses and services of a committee of three persons to represent this claim before Congress should justly assume such proportions. The making of such a contract seems to convey implications which I am sure are wholly unjust.

After the passage of the appropriation bill legislation was had by the Choctaw Nation looking to the completion of the contract made with their delegates as to the payment of this money; but subsequently, when it was supposed that this extraordinary arrangement might require me to bring the matter to the attention of Congress, an act was passed by the Choctaw General Council, approved October 19, 1891, declaring all contracts made by the Choctaw delegates with any attorneys in connection with this appropriation void and of no effect. A copy of this law will be found with the papers submitted. There has also been submitted to me an unofficial copy of the opinion of the attorney-general of the Choctaw Nation holding that this last legislation is unconstitutional and void. I am of the opinion that if this appropriation is to stand provision should be made for protecting these tribes against extortionate claims for compensation in procuring action by Congress. Copies of the several laws

passed by the Choctaw Nation with reference to this matter will be found in the accompanying papers. It will be noticed that the distribution proposed is limited to Choctaws by blood, excluding the freedmen and the white men who have been given full citizenship from any participation. A protest against this method of distribution has been filed by a white citizen of the tribe, and also a representation by Hon. Thomas C. Fletcher, their attorney, on behalf of the freedmen. In view of the fact that the stipulations of the treaty of 1866 in behalf of the freedmen of these tribes have not, especially in the case of the Chickasaws, been complied with, it would seem that the United States should in a distribution of this money have made suitable provision in their behalf. The Chickasaws have steadfastly refused to admit the freedmen to citizenship, as they stipulated to do in the treaty referred to, and their condition in that tribe and in a lesser degree in the other strongly calls for the protective intervention of Congress.

After a somewhat careful examination of the question I do not believe that the lands for which this money is to be paid were, to quote the language of section 15 of the Indian appropriation bill, already set out, "ceded in trust by article 3 of the treaty between the United States and said Choctaw and Chickasaw nations of Indians which was concluded April 28, 1866," etc. It is agreed that that treaty contained no express limitation upon the uses to which the United States might put the territory known as the leased district. The lands were ceded by terms sufficiently comprehensive to have passed the full title of the Indians. The limitation upon the use to which the Government might put them is sought to be found in a provision of the treaty by which the United States undertook to exclude white settlers and in the expressions found in the treaties made at the same time with the Creeks and other tribes of the purpose of the United States to use the lands ceded by those tribes for the settlement of friendly Indians.

The stipulation as to the exclusion of white settlers might well have reference solely to the national lands retained by the Choctaw and Chickasaw tribes, and the reason for the nonincorporation in the treaty with them of a statement of the purpose of the Government in connection with the use of the lands is well accounted for by the fact that as to these lands the Government had already, under the treaty of 1855, secured the right to use them perpetually for the settlement of friendly Indians. This was not true as to the lands of the other tribes referred to. The United States paid to the Choctaws and Chickasaws $300,000, and the failure to insert the words that are called words of limitation in this treaty points, I think, clearly to the conclusion that the commissioners on the part of the Government and the Indians themselves must have understood that this Government was acquiring something more than a mere right to settle friendly Indians, which it already possessed, and something more than the mere release of the right which the Choctaws

and Chickasaws had under the treaty of 1855 to select locations on these lands if they chose.

Undoubtedly it was the policy of this Government for the time to hold these and the adjacent lands as Indian country, and many of the expressions in the proclamations of my predecessors and in the reports of the Indian Bureau and of the Secretary of the Interior mean this and nothing more. This is quite different from a conditional title, which limits the grant to a particular use and works a reinvestment of full title in the Indian grantors when that use ceases. But those who hold most strictly that a use for Indian purposes, where it is expressed, is a limitation of title seem to agree that the United States might pass a fee absolute to other Indian tribes in the lands ceded for their occupancy. Certainly it was not intended that in settling friendly Indians upon these lands the Government was to be restrained in its policy of allotment and individual ownership. If for an adequate consideration, by treaty, the United States placed upon these lands other Indian tribes, it was competent to give them patents in fee for a certain and agreed reservation. This being so, when the policy of allotment is put into force the compensation for the unused lands should certainly go to the occupying tribe, which in the case supposed had paid a full consideration for the whole reservation.

It will hardly be contended that in such case this Government should pay twice for the lands. In the appropriation under discussion this principle is in part recognized, for no claim is made by the Choctaws and Chickasaws for the lands allotted to the Cheyennes and Arapahoes. The claim is for unallotted or surplus lands. The case of the Cheyennes and Arapahoes is this: In consideration of other lands the Government gave them a treaty reservation in the Cherokee Outlet, but never perfected it by paying the Cherokees the stipulated price and placing these Indians upon it. The Cheyennes and Arapahoes declined to go upon the strip and located themselves farther south, where they now are. The Government subsequently recognized their right to remain there, and set apart the lands now being allotted to members of that tribe and the lands for which payment is now claimed by the Choctaws and Chickasaws as the Cheyenne and Arapahoe Reservation. I think the United States must be held to have assented to the substitution of these lands for the treaty lands in the Cherokee Strip, and that being true, when the reservation is broken up, as now, by allotments, it would seem that the Cheyennes and Arapahoes were entitled to be compensated for these surplus lands. In fact, a commission which has been dealing with the tribes in the Indian Territory has concluded an arrangement with them by which the Government pays $1,500,000 for these surplus lands and for the release of any claim to the Cherokee Strip, so that in fact in this agreement with the Cheyennes and Arapahoes the Government has paid for the lands for which payment is now claimed by the Choctaws and Chickasaws.

It should not be forgotten also that the allotment to the Cheyennes

MORTARS AND GUNS—MORRO CASTLE

MORRO CASTLE.

Morro Castle is an old and venerable fortress at the entrance to Havana harbor, and its quaint picturesqueness even to-day is a reminder of the old days of Spanish administration in Cuba. In its day, the castle was a fortress not to be disregarded, and its guns were considered most formidable by American naval commanders in the war with Spain.

and Arapahoes is still incomplete. The method of calculation which resulted in stating the claim of the Choctaws and Chickasaws at $2,991,450 is explained by a letter of Mr. J. S. Standley, one of the Choctaw delegates, dated April 6, 1891. The agent for the Cheyennes and Arapahoes wrote Mr. Standley that there were 600 Indians residing upon the lands south of the Canadian River, and who it was supposed would take allotments there, and upon this statement the legislation was based. Now it must be borne in mind that the Cheyennes and Arapahoes have the right to locate anywhere within their reservation, and that instead of 600 double that number might have taken their allotments south of the Canadian River upon these lands. This is not probable, but a later report indicates that the number will certainly be in excess of 600. If the sum to be paid to the Choctaws and Chickasaws depended upon a knowledge of the number of acres of unallotted land south of the Canadian River, it would seem to have been reasonable that the appropriation should have been delayed until the exact number of acres taken for allotment had been officially ascertained. This has not yet been done.

It is right also, I think, that Congress in dealing with this matter should have the whole question before it, for the declaration of Indian title contained in this item of appropriation extends to a very large body of land and will involve very large future appropriations. The Choctaw and Chickasaw leased district, embracing the lands in the Indian Territory between the ninety-eighth and one hundredth degrees of west longitude and extending north and south from the main Canadian River to the Red River, including Greer County, contains, according to the public surveys, 7,713,239 acres, or, excluding Greer County, 6,201,663 acres. This leased district is occupied as follows:

Greer County, by white citizens of Texas, 1,511,576 acres. The United States is now prosecuting a case in the courts to obtain a judicial declaration that this county is part of the Indian country. If a decision should be rendered in its favor, the claim of the Choctaws and Chickasaws to be paid for these lands at the rate named in this appropriation would at once be presented.

The Wichita Reservation is also upon the leased lands and is occupied by the Wichitas, Caddoes, Delawares, and remnants of other tribes by Department orders, made to depend upon the treaty with the Delawares in 1866 and some other unratified agreements with tribes or fragments of tribes in 1872. This reservation contains 743,610 acres.

The Kiowa, Comanche, and Apache Reservation is occupied by those Indians under a treaty proclaimed August 25, 1868, which provides that said district of country "shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the tribes herein named, and for such friendly tribes or individual Indians as from time to time they may be willing (with the consent of the United States) to admit among them." This reservation contains 2,968,893 acres.

The Cheyennes and Arapahoes, whose surplus lands are to be paid for by this appropriation, have occupied the country between the Washita and Canadian rivers, extending west to the one hundredth degree of longitude. This reservation contains 2,489,160 acres.

I have stated these facts in order that it may be seen what further appropriations are involved in a settlement for all these lands upon the basis which Congress has adopted. It does not seem to me to be a wise policy to deal with this question piecemeal. It would have been better, if a remnant of title remains in the Choctaws and Chickasaws to the lands in the leased district, to have settled the whole matter at once. Under the treaty of 1855 the Choctaws and Chickasaws quitclaimed any supposed interest of theirs in the lands west of the one hundredth degree. The boundary between the Louisiana purchase and the Spanish possessions by our treaty of 1819 with Spain was as to these lands fixed upon the one hundredth degree of west longitude.

Our treaty with the Choctaws and Chickasaws made in 1820 extended their grant to the limit of our possessions. It followed, of course, that these lands were included within the boundaries of the State of Texas when that State was admitted to the Union, and the release of the Choctaws and Chickasaws, whatever it was worth, operated for the benefit of the State of Texas and not of the United States. The lands became public lands of that State. For the release of this claim and for the lease of the lands west of the ninety-eighth degree the Government of the United States paid the sum of $800,000. In the calculations which have been made to arrive at the basis of the appropriation under discussion no part of this sum is treated as having been paid for the lease. I do not think that is just to the United States. It seems probable that a very considerable part of this consideration must have related to the leased lands, because these were the lands in which the Indian title was recognized, and the treaty gave to the United States a permanent right of occupation by friendly Indians. The sum of $300,000, paid under the treaty of 1866, is deducted, as I understand, in arriving at the sum appropriated It seems to me that a considerable proportion of the sum of $800,000 previously paid should have been deducted in the same manner.

I have felt it to be my duty to bring these matters to the attention of Congress for such action as may be thought advisable.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 24, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the annual report of the World's Columbian Commission; a supplementary report of the same commission, submitted February 16, 1892; the report of the board

appointed by me under section 16 of the act of April 25, 1890, to have charge of the exhibit to be made by the Executive Departments, the Smithsonian Institution, the Fish Commission, and the National Museum; and the report of the board of lady managers, provided for by section 6 of the act referred to.

The information furnished by these reports as to the progress of the work is not only satisfactory, but highly gratifying. The plan and scope adopted and the site and buildings selected and now being erected are fully commensurate with the national and international character of the enterprise contemplated by the legislation of Congress. The Illinois corporation has fully complied with the condition of the law that $10,000,000 should be provided, and the Government commission reports that "the grounds and buildings will be the most extensive, adequate, and ornate ever devoted to such purposes." It seems, however, that from five to eight millions of dollars more will, in the opinion of the local board and the national commission, be necessary to prepare the exposition for a complete and successful inauguration. It will be noticed from the reports that it was first proposed by the local commission to ask of Congress a loan of $5,000,000, to be repaid from receipts, and that the national commission approved this suggestion. Subsequently the Illinois exposition corporation reconsidered its action and determined to ask a subscription of $5,000,000.

The supplementary report of the national commission seems to approve this amended proposition. I have not myself that detailed information as to the financial necessities of the enterprise which would enable me to form an independent judgment of the additional amount necessary, and am not, therefore, prepared to make any specific recommendation to Congress upon the subject. The committees of Congress having this matter in charge will undoubtedly obtain full and accurate information before final action. The exposition, notwithstanding the limitations which the act contains, is an enterprise to which the United States is so far committed that Congress ought not, I think, to withhold just and reasonable further support if the local corporation consents to proper conditions.

Liberality on the part of the United States is due to the foreign nations that have responded in a friendly way to the invitation of this Government to participate in the exposition, and will, I am sure, meet the approval of our people. The exposition will be one of the most illustrious incidents in our civic history.

I transmit also certain resolutions adopted by representatives of the National Guard of the various States appointed by the governors to attend a convention which was held in Chicago on the 27th of October, 1891, with a view to consider the subject of holding a military encampment at Chicago during the exposition.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 25, 1892.*

To the Senate and House of Representatives:

I transmit herewith copy of a memorial of the Wichitas, Caddoes, and affiliated tribes of Indians in Oklahoma Territory in the matter of their claim to the lands they occupy, for consideration in connection with the agreement concluded by and between the Cherokee Commission and said Indians, and also with my communication of the 17th instant,* relative to the act to pay the Choctaw and Chickasaw Indians for certain lands now occupied by the Cheyenne and Arapahoe Indians.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, March 8, 1892.

To the Senate:

I herewith transmit, with a view to its ratification, a convention signed at Washington the 29th of February, 1892, between the Governments of the United States and Her Britannic Majesty, submitting to arbitration the questions which have arisen between those Governments concerning the jurisdictional rights of the United States in the waters of the Bering Sea, and concerning also the preservation of the fur seal in and habitually resorting to the said sea and the rights of the citizens and subjects of either country as regards the taking of fur seal in or habitually resorting to the said waters.

The correspondence not heretofore submitted to Congress in relation to the Bering Sea matter is in course of preparation and will be transmitted without delay.

BENJ. HARRISON.

EXECUTIVE MANSION, *March 9, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 5th instant from the Secretary of the Interior, submitting the agreement concluded by and between the commissioners for the United States and the Cherokee Nation of Indians of the Indian Territory, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, March 18, 1892.

To the Senate:

I herewith transmit, in answer to the resolution of the Senate of the 3d ultimo, a report from the Acting Secretary of State of the 17th instant,

* See pp. 5664–5669.

transmitting information relative to and his opinion as to the purchase of the unpublished correspondence and manuscripts of President James Monroe.

BENJ. HARRISON.

EXECUTIVE MANSION, *March 24, 1892.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Board of Commissioners of the District of Columbia, accompanied by a letter from the chairman of the executive committee organized by the citizens of Washington for the reception and entertainment of the Twenty-sixth Annual Encampment of the Grand Army of the Republic, which is to be held in Washington during September next. An appeal is made for an appropriation by Congress of $100,000, one-half to be paid out of the District revenues, to aid in defraying the expenses attending this reception.

The event is one of very high and, as I believe, of national interest, and the attendance of the surviving Union soldiers will, I do not doubt, be larger than at any annual encampment that has ever been held. The public authorities of the cities or States, or both, in which the encampments have been held have, I believe, usually appropriated liberally to make the occasions worthy and the entertainment hospitable. The parade of the survivors of our great armies upon Pennsylvania avenue will bring vividly back to us those joyful and momentous days when the great victorious armies of the East and of the West marched through the streets of Washington in high parade and were received by our citizens with joyful acclaim. It seems to me that it will be highly appropriate for Congress suitably to aid in making this demonstration impressive and in extending to those soldiers whose lives a beneficent Providence has prolonged an opportunity to see in the security and peace, development and prosperity, which now so happily pervade the national capital the fruits of their sacrifice and valor.

BENJ. HARRISON.

EXECUTIVE MANSION, *April 1, 1892.*

To the Senate of the United States:

In compliance with a resolution of the 30th ultimo, the House of Representatives concurring, I return herewith the bill (S. 1057) entitled "An act to punish the unlawful appropriation of the use of the property of another in the District of Columbia."

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 1, 1892.

To the Senate:

I herewith transmit, in answer to the resolutions of the Senate of the 16th and 21st ultimo. a report from the Acting Secretary of State, with

accompanying statistics, showing the duties imposed by the Governments of Venezuela and Colombia upon products of the United States imported into these countries.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 4, 1892.

To the Senate:

I transmit, in reply to the resolution of the Senate passed in executive session on March 14, 1892, a report from the Secretary of State, with accompanying documents, in relation to the correspondence relating to the nonacceptance of Hon. Henry W. Blair as minister of the United States to the Government of China.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *April 12, 1892.*

I transmit, in reply to the resolution of the Senate under date of December 15, 1891, a report from the Secretary of State, with accompanying documents, in relation to the correspondence had with regard to the impressment into its service and punishment by the Government of Italy of Nicolino Mileo, a naturalized citizen of the United States.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *April 14, 1892.*

I herewith transmit, in response to the resolution passed in the Senate on the 10th of March, 1892, a report of the Secretary of State and the accompanying correspondence, had in relation to the claim of the Venezuela Steam Transportation Company for the said company's relief.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *April 26, 1892.*

I have received the resolution of the Senate of April 23, requesting that, if not incompatible with the public interest, I inform the Senate what steps have been taken toward the securing of an international conference to consider the question of the free coinage of silver at the mints of the nations participating in such conference, or as to the enlarged use of silver in the currency system of said countries, and that I transmit to the Senate any correspondence between the United States and other governments upon the subject, and in response thereto beg respectfully to inform the Senate that in my opinion it would not be compatible with the public interest to lay before the Senate at this time the information requested, but that at the earliest moment after definite information can

properly be given all the facts and any correspondence that may take place will be submitted to Congress.

It may not be inappropriate, however, to say here that, believing that the full use of silver as a coined metal upon an agreed ratio by the great commercial nations of the world would very highly promote the prosperity of all their people, I have not and will not let any favorable opportunity pass for the promotion of that most desirable result, or, if free international silver coinage is not presently attainable, then to secure the largest practicable use of that metal.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 11, 1892.*

To the House of Representatives:

In compliance with the resolution of the House of Representatives, the Senate concurring, I return herewith the bill (H. R. 3927) entitled "An act to amend 'An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President,' approved January 19, 1886."

BENJ. HARRISON.

EXECUTIVE MANSION, *May 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith the seventh annual report of the Commissioner of Labor, which report relates to the cost of producing textiles and glass in the United States and in Europe. It also comprehends the wages and the cost of living of persons employed in the textile and glass industries.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 25, 1892.*

To the Senate and House of Representatives:

I transmit herewith a communication of the Secretary of War, dated May 24, from which and from the accompanying papers it appears that the late General George W. Cullum, of the United States Army, has by will devised $250,000 to the Government of the United States for the erection of a memorial hall upon the grounds of the Military Academy at West Point, to be used as a "receptacle of statues, busts, mural tablets, and portraits of distinguished deceased officers and graduates of the Military Academy, of paintings of battle scenes, trophies of war, and such other objects as may tend to give elevation to the military profession."

This ample and patriotic gift is hampered by no conditions and involves no appropriation beyond the sum so generously donated.

The executors in order to facilitate action have prepared, and the same is herewith submitted, the outline of a bill to carry into effect the provisions of General Cullum's will.

There can be no occasion to urge upon Congress the immediate enactment of a suitable law to carry into effect the patriotic purpose expressed in the will.

I suggest that in the bill itself, or by a separate joint resolution, suitable expression be given of the public appreciation of this crowning service to the military profession and to his country rendered by General Cullum.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 25, 1892.*

To the Senate and House of Representatives:

In accordance with the provisions of section 4119 of the Revised Statutes of the United States, I lay before you for revision a copy of the regulations for the consular courts of the United States in Korea, as decreed by the minister of this Government at Seoul March 31, 1892. I also transmit an accompanying report by the Acting Secretary of State.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 20, 1892.*

To the Senate of the United States:

The following resolution was passed by the Senate on the 24th day of February last:

Resolved, That the President be requested, if in his opinion not incompatible with the public interests, to inform the Senate of the proceedings recently had with the representatives of the Dominion of Canada and of the British Government as to arrangements for reciprocal trade between Canada and the United States.

In response thereto I now submit the following information:

On the 15th day of April last the Secretary of State submitted to me a report, which is herewith transmitted. Shortly after the report came into my possession I was advised by the Secretary that the British minister at this capital had informed him that the Canadian government desired a further conference on the subject of the discriminating canal tolls of which this country had complained. This information was accompanied by the suggestion that a response to the resolution of the Senate might properly be delayed until this further conference was held.

On the 3d instant the British minister, in connection with Hon. MacKenzie Bowell and Hon. George E. Foster, members of the Canadian ministry, were received by the Secretary of State and a further conference took place. In both of the conferences referred to Hon. John W. Foster, at the request of the Secretary of State, appeared with him on behalf of this Government; and the report of the latter conference was submitted to me on the 6th instant by Mr. Foster, and is herewith transmitted. The result of the conference as to the practicability of arranging a reciprocity treaty with the Dominion of Canada is clearly stated in

the letter of Mr. Blaine, and was anticipated, I think, by him and by every other thoughtful American who had considered the subject. A reciprocity treaty limited to the exchange of natural products would have been such only in form. The benefits of such a treaty would have inured almost wholly to Canada. Previous experiments on this line had been unsatisfactory to this Government. A treaty that should be reciprocal in fact and of mutual advantages must necessarily have embraced an important list of manufactured articles and have secured to the United States a free or favored introduction of these articles into Canada as against the world; but it was not believed that the Canadian ministry was ready to propose or assent to such an arrangement. The conclusion of the Canadian commissioners is stated in the report of Mr. Blaine as follows:

> In the second place, it seemed to be impossible for the Canadian government, in view of its present political relations and obligations, to extend to American goods a preferential treatment over those of other countries. As Canada was a part of the British Empire, they did not consider it competent for the Dominion government to enter into any commercial arrangement with the United States from the benefits of which Great Britain and its colonies should be excluded.

It is not for this Government to argue against this announcement of Canadian official opinion. It must be accepted, however, I think, as the statement of a condition which places an insuperable barrier in the way of the attainment of that large and beneficial intercourse and reciprocal trade which might otherwise be developed between the United States and the Dominion.

It will be noticed that Mr. Blaine reports as one of the results of the conference "an informal engagement to repeal and abandon the drawback of 18 cents a ton given to wheat (grain) that is carried through to Montreal and shipped therefrom to Europe. By the American railways running from Ogdensburg and Oswego and other American ports the shippers paid the full 20 cents a ton, while in effect those by the way of Montreal pay only 2 cents. It was understood that the Canadian commissioners, who were all three members of the cabinet, would see to the withdrawal of this discrimination."

From the report of the recent conference by Mr. Foster it will be seen that the Canadian commissioners declare that this statement does not conform to their understanding, and that the only assurance they had intended to give was that the complaint of the Government of the United States should be taken into consideration by the Canadian ministry on their return to Ottawa. Mr. Foster, who was present at the first conference, confirms the statements of Mr. Blaine. While this misunderstanding is unfortunate, the more serious phase of the situation is that instead of rescinding the discriminating canal tolls of which this Government complains the Canadian ministry, after the return of the commissioners from their visit to Washington, on April 4, reissued, without any communication with this Government, the order continuing the discrimination,

by which a rebate of 18 cents a ton is allowed upon grain going to Montreal, but not to American ports, and refusing this rebate even to grain going to Montreal if transshipped at an American port.

The report of Mr. Partridge, the Solicitor of the Department of State, which accompanies the letter of the Secretary of State, states these discriminations very clearly. That these orders as to canal tolls and rebates are in direct violation of Article XXVII of the treaty of 1871 seems to be clear. It is wholly evasive to say that there is no discrimination between Canadian and American vessels; that the rebate is allowed to both without favor upon grain carried through to Montreal or transshipped at a Canadian port to Montreal. The treaty runs:

> To secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion.

It was intended to give to consumers in the United States, to our people engaged in railroad transportation, and to those exporting from our ports equal terms in passing their merchandise through these canals. This absolute equality of treatment was the consideration for concessions on the part of this Government made in the same article of the treaty, and which have been faithfully kept.

It is a matter of regret that the Canadian government has not responded promptly to our request for the removal of these discriminating tolls.

The papers submitted show how serious the loss inflicted is upon our lake vessels and upon some of our lake ports. In view of the fact that the Canadian commissioners still contest with us the claim that these tolls are discriminating and insist that they constitute no violation of the letter or spirit of Article XXVII of the treaty, it would seem appropriate that Congress, if the view held by the Executive is approved, should with deliberation and yet with promptness take such steps as may be necessary to secure the just rights of our citizens.

In view of the delays which have already taken place in transmitting this correspondence to Congress, I have not felt justified in awaiting the further communication from the government of Canada which was suggested in the recent conference.

Should any proposition relating to this matter be received it will be immediately submitted for the consideration of the Senate, and if forwarded within the time suggested will undoubtedly anticipate any final action by Congress.

BENJ. HARRISON.

To the Senate: EXECUTIVE MANSION, *June 20, 1892.*

In response to the resolution of the Senate dated March 14, 1892, requesting that certain specified correspondence in regard to the claim of

Antonio Maximo Mora against the Government of Spain be communicated to it, if not incompatible with the public interests, I transmit herewith the report of the Acting Secretary of State on the matter.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *June 27, 1892.*

In response to the resolution of the Senate dated April 6, 1892, directing the Secretary of State to send to the Senate, if not incompatible with the public interests, copies of all commercial agreements made with other countries, and also to report what steps have been taken to negotiate a reciprocal commercial treaty with Mexico, I submit herewith the reply of the Acting Secretary of State to that resolution.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *July 1, 1892.*

For the information of the Senate and in further response to the resolution of the Senate of February 24 last, I transmit herewith a communication of the 24th ultimo from Mr. Herbert, the acting representative of the British Government at this capital, addressed to Mr. Wharton, Acting Secretary of State, upon the subject of Canadian canal tolls; also a memorandum prepared and submitted to me by Mr. Adee, Second Assistant Secretary of State, reviewing the communication of Mr. Herbert, and a letter of the 28th ultimo from Mr. John W. Foster, who, as I have previously stated, with Mr. Blaine represented this Government in the conferences with the Canadian commissioners.

The position taken by this Government, as expressed in my previous communication to the Senate, that the canal tolls and regulations of which complaint has been made are in violation of our treaty with Great Britain, is not shaken, but rather confirmed.

There can be no doubt that a serious discrimination against our citizens and our commerce exists, and quite as little doubt that this discrimination is not the incident but the purpose of the Canadian regulation.

It has not seemed to me that this was a case in which we could yield to the suggestion of further concessions on the part of the United States with a view to securing treaty rights for which a consideration has already been given.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 21, 1892.*

To the Senate and House of Representatives:

I herewith transmit, for the information of Congress, a communication from the Secretary of State, forwarding certain bulletins of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 23, 1892.

To the Senate of the United States:

I transmit, in reply to the resolution of the Senate passed in executive session on the 21st instant and addressed to the Secretary of State, a report of that officer, with accompanying documents, in further relation to the nonacceptance of the Hon. Henry W. Blair as minister of the United States to the Government of China, which question was the occasion of my recent message to the Senate of the 4th of April last.*

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *July 25, 1892.*

I herewith transmit, in reply to the resolution of the Senate of June 6, 1892, a report from the Secretary of State, with its accompanying papers, in relation to guano deposits on Arcas Cays or Islands.

BENJ. HARRISON.

WASHINGTON, D. C., *July 27, 1892.*

To the Senate and House of Representatives:

I transmit herewith, with its accompaniments, a report from the Secretary of the Navy of the results of the survey made pursuant to the act of March 2, 1891, "to enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of the laying of a telegraphic cable between those points."

BENJ. HARRISON.

VETO MESSAGES.

To the Senate:

EXECUTIVE MANSION, *July 19, 1892.*

I return herewith without my approval the bill (S. 2729) entitled "An act to amend an act entitled 'An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes.'"

The original act to which this amendment is proposed, constituting an intermediate court of appeals, had for its object the relief of the Supreme Court by limiting the cases which might be brought up for hearing in that court. The first section of the bill under consideration allows appeals in criminal cases where the sentence imposes no imprisonment and the fine is as much as $1,000. The effect of this provision will be to

* See p. 5673.

bring to the Supreme Court many cases that in my opinion should be finally determined in the intermediate appellate court, and so in part to defeat the general purpose of Congress in constituting the intermediate court. But this objection would not alone have sufficient weight in my mind to induce me to return the bill. Section 3 of the bill is as follows:

That no appeal shall hereafter be allowed from judgments of the Court of Claims in cases under the act of March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," except where the adjudication involves the construction or application of the Constitution or the validity or construction of a treaty or the constitutionality of a law of the United States: *Provided, however*, That upon such appeal it shall be competent for the Supreme Court to require, by certiorari or otherwise, the whole case to be certified for its review and determination upon the facts as well as the law.

I am advised by the Attorney-General that under the Indian-depredations act 8,000 cases, involving an aggregate of damages claimed of about $30,000,000, have already been filed. A number of these cases involve as much as $100,000 each, while a few involve as much as $500,000 each and one something over $1,000,000. The damages which may be awarded in these cases by the Court of Claims are to be paid out of the trust funds of the Indians held by the United States, or, if there are no such funds, out of the Treasury of the United States. The law referring these cases to the Court of Claims has had no judicial interpretation, and many novel and difficult questions are likely to arise. It is quite a startling proposition, and a very novel one, I think, that there shall be absolutely no opportunity for the review in an appellate court, in cases involving such large amounts, of questions involving the construction of the statute under which the court is proceeding, or those various questions of law, many of them new, which necessarily arise in such cases.

Neither the claimants, the Indians, nor the Government of the United States should be absolutely denied opportunity to bring their exceptions to review by some appellate tribunal. I would not suggest that an appeal should be allowed in all cases. Some limitation as to amount would be reasonable, and perhaps some discretion might be lodged in the Supreme Court as to granting appeals. The limitations, however, imposed by the section I have quoted are so severe and unreasonable, in my judgment, that I have felt compelled to return the bill to the Senate with a view to its reconsideration.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 29, 1892.*

To the Senate:

I return herewith without my approval the bill (S. 1958) entitled "An act to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes."

This bill came to me on the 20th instant, at a time when very many

other bills were submitted for my consideration, and it has not been possible for me to make such an examination of the history of Mr. McGarrahan's claim as would be necessary to form an intelligent judgment as to its merits and just extent. It is quite possible that he has been wronged and that he has a claim for some reparation from the Government. I can not, however, think that this bill proceeds upon a just basis. It provides that Mr. McGarrahan shall file his claim as the assignee of Gomez in the Court of Private Land Claims for the lands described in the title, and that if the court establishes the grant to Gomez it shall be confirmed to McGarrahan. No evidence that he is the assignee of Gomez is, I think, required by the bill, which assumes that fact instead of submitting it to the court. If the claim is established, it is provided in substance that all lands part of said grant which have been conveyed by the Government or are in the occupancy of actual settlers, or "upon which there are any smelting or reduction works, or the lands claimed in connection with such reduction or smelting works," shall be excepted from the patent which the Secretary of the Interior is directed to issue to McGarrahan. By this provision the title of the New Idria Mining Company, which has long contested with McGarrahan the title to a large part of this property, is established and that company is relieved from any responsibility to account for the profits made in mining. On the other hand, the United States waives all benefit of judicial proceedings which have resulted in its favor and gives Mr. McGarrahan an opportunity *de novo* to try all such questions; and the decision, if in his favor, is not only to restore to him all the lands yet undisposed of, but the United States assumes to pay him the value of the lands appropriated by others and of their use for all these years and to account to him for all profits that have been made by the New Idria Mining Company or anyone else in quicksilver or other mining.

This seems to me to be wholly inadmissible. The amount involved must be enormously large, though at present incapable of any accurate estimate. If the title of the New Idria Company has been established by final decrees of court placing that title beyond question and that company beyond any call to respond for use and profits, why should the Government of the United States, waiving in its behalf these decrees, which would protect it also, assume a responsibility to account for the value of the lands and for their use and for the net value of minerals extracted by that company or others? It will be noticed in the quotation I have made from the act that this company is allowed to take all the land it may claim, but at the expense of the United States, not of Mr. McGarrahan.

The bill is so framed as to give full protection to the New Idria Mining Company to the full extent of its largest claim, while throwing upon the United States a responsibility which that company should bear if the title of Mr. McGarrahan is established.

The United States provided a proper tribunal for the trial of claims founded upon Mexican grants. This claim was there tried, and if fraud affected the judgment it is not, I think, chargeable to the Government; the contest was chiefly between rival claimants. In this state of the case it would seem that if the United States consents to open the litigation and to wipe out all judicial findings and decrees a less exacting measure of damages than that proposed in the bill should be agreed on.

It is not my purpose, as I have intimated, to express the opinion that Mr. McGarrahan is entitled to no relief. It seems to me, however, clear that he is not entitled to the relief given by this bill, and that it does not adequately protect the interests of the United States.

BENJ. HARRISON.

EXECUTIVE MANSION, *August 3, 1892.*

To the Senate:

I return herewith without my approval the bill (S. 1111) entitled "An act to amend the act of Congress approved March 3, 1887, entitled 'An act to provide for the bringing of suits against the Government of the United States.'"

If I may judge from the very limited discussion of this measure in Congress, the sweeping effects of it upon the administration of the public lands could hardly have been fully realized. From the beginning of the Government the administration of the public lands and the issuing of patents under the land laws have been an Executive function.

The jurisdiction of the courts as to contesting claims for patents has awaited the action of the General Land Office. Land offices have been established and maintained in all the districts where public lands were found, located with reference to the convenience of the settlers, and the proceedings have been informal and inexpensive. It is true that at times, by an administration of the Land Office unfriendly toward the settlers, unnecessary delays involving much hardship have intervened in the issuing of patents, but such is not the case now. The work of the Land Office within the last three years has been so efficient and so friendly to the *bona fide* settler that the large accumulation of cases there has been swept away, and the office, as I am informed by the Secretary of the Interior, is now engaged upon current business.

It seems to me that a transfer in whole or in part of this business to the courts, some of whose dockets are already loaded with cases, can not tend to expedition, while it is very manifest that, by reason of the greater formality in the taking and presentation of evidence which would be required in court and of the long distances which settlers would have to traverse in order to attend court, the costs in such cases would be enormously increased.

It is proposed by this bill to give what is called concurrent jurisdiction

to the district courts of the United States and to the Court of Claims to hear and determine all claims for land patents under any law or grant of the United States. Whether concurrent with each other or with each other and the Land Office is not clear.

It is quite doubtful under the rulings of the Supreme Court whether the courts now provided by law for the Territories are "district courts of the United States" within the meaning of this bill. The effect of this legislation would, if they were held not to be such, be that as to all suits relating to lands in the Territories of New Mexico, Arizona, Utah, and Oklahoma no other forum is provided than the Court of Claims at Washington. In this state of the case a settler, or one who has taken a mineral claim in any of these Territories, would be subject to be brought to the city of Washington for the trial of his case.

In view of the fact that all recent legislation of Congress has been in the direction of subdividing judicial districts and of bringing the United States courts nearer to the litigants, I can only attribute to oversight the passage of this bill, which in my opinion would burden the homesteader and preemptor whose claim is contested, whether by another individual or by any corporation, by compelling him to appear at Washington and to conduct with the formality and expense incident to court proceedings the defense of his title. But even in the case of land contests arising in the States where district courts exist the plaintiff, it will be observed, by this act is given the option to sue in those courts or to bring his adversary to Washington to litigate the claim. Why should he have this advantage, one that is not given so far as I know in any other law fixing the forum of litigation between individuals? Not only is this true, but the Court of Claims was established for the trial of cases between individuals and corporations on the one side and the United States on the other, and so far as I now recall wholly for the trial of money claims.

There are no adequate provisions of law, if any at all, for conducting suits between individuals contesting private rights. The court has one bailiff and one messenger, no marshal, and is not provided, I think, either with the machinery or with the appropriation to send its processes to the most distant parts of the country. Yet it is apparent that under this bill the real issue would frequently be between rival claimants, and not between either and the United States. This court, too, is already burdened with business since the reference to it of the Indian depredation claims, the French spoliation claims, etc., and it certainly can not be thought that a more speedy settlement of land claims could be there obtained than is now given.

Again, the bill is so indefinite in its provisions that it can not be told, I think, what function, if any, remains to be discharged by the General Land Office. It was said in answer to an interrogatory when the bill was under consideration that it did not affect claims pending in the Land Office; and yet it seems to me that its effect is to allow any contestant

in the Land Office at any stage of the proceedings there to transfer the whole controversy to the courts. He may take his chances of success in the Land Office, and if at any time he becomes apprehensive of an adverse decision he may begin *de novo* in the courts.

If it was intended to preserve the jurisdiction of the Land Office and to hold cases there until a judgment had been reached, the bill should have so provided, for it is capable of, and indeed seems to me compels, the construction that either party may forsake the Land Office at any stage of a contest. I am quite inclined to believe that if provision were made, as in section 1063 of the Revised Statutes, relating to claims in other departments, for the transfer to a proper court, under proper regulations, of certain contest cases involving questions affecting large classes of claims, it would be a relief to the Land Office and would tend to a more speedy adjustment of land titles in such cases, a result which would be in the interest of all our people.

Nothing is more disadvantageous to a community, its progress and peace, than unsettled land titles. This bill, however, as I have said, is so radical and seems to me to be so indefinite in its provisions that I can not give it my approval.

BENJ. HARRISON.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Salvador the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Salvador at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Salvador will by due legal enactment, as a provisional measure and until a more complete arrangement may be negotiated and put in operation, admit free of all duty, from and after February 1, 1892, into all the established ports of entry of Salvador the articles or merchandise

named in the following schedule, provided that the same be the product or manufacture of the United States:

SCHEDULE OF PRODUCTS AND MANUFACTURES WHICH THE REPUBLIC OF SALVADOR WILL ADMIT FREE OF ALL CUSTOMS, MUNICIPAL, AND ANY OTHER KIND OF DUTY.

1. Animals for breeding purposes.
2. Corn, rice, barley, and rye.
3. Beans.
4. Hay and straw for forage.
5. Fruits, fresh.
6. Preparations of flour in biscuits, crackers not sweetened, macaroni, vermicelli, and tallarin.
7. Coal, mineral.
8. Roman cement.
9. Hydraulic lime.
10. Bricks, fire bricks, and crucibles for melting.
11. Marble, dressed, for furniture, statues fountains, gravestones, and building purposes.
12. Tar, vegetable and mineral.
13. Guano and other fertilizers, natural or artificial.
14. Plows and all other agricultural tools and implements.
15. Machinery of all kinds, including sewing machines, and separate or extra parts for the same.
16. Materials of all kinds for the construction and equipment of railroads.
17. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.
18. Materials of all kinds for lighting by electricity and gas.
19. Materials of all kinds for the construction of wharves.
20. Apparatus for distilling liquors.
21. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, or flooring.
22. Wooden staves, heads, and hoops, and barrels and boxes for packing, mounted or in pieces.
23. Houses of wood or iron, complete or in parts.
24. Wagons, carts, and carriages of all kinds.
25. Barrels, casks, and tanks of iron for water.
26. Tubes of iron and all other accessories necessary for water supply.
27. Wire, barbed, and staples for fences.
28. Plates of iron for building purposes.
29. Mineral ores.
30. Kettles of iron for making salt.
31. Kettles of iron for making sugar.
32. Molds for making sugar.
33. Guys for mining purposes.
34. Furnaces and instruments for assaying metals.
35. Scientific instruments.
36. Models of machinery and buildings.
37. Boats, lighters, tackle, anchors, chains, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.
38. Printing materials, including presses, type, ink, and all other accessories.
39. Printed books, pamphlets, and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
40. Paper for printing newspapers.
41. Quicksilver.
42. Loadstones.
43. Hops.

44. Sulphate of quinine.
45. Gold and silver in bars, dust, or coin.
46. Samples of merchandise the duties on which do not exceed $1.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Salvador has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer nor undue restrictions on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Salvador at Washington that this action of the Government of Salvador in granting freedom of duties to the products and manufactures of the United States of America on their importation into Salvador and in stipulating for a more complete reciprocity arrangement is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Salvador to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of December, 1891, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservation and the limits thereof.

And whereas the public lands in the Territory of New Mexico within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States,

by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the Territory of New Mexico and particularly described as follows, to wit:

Commencing at the standard corner to township seventeen (17) north, ranges thirteen (13) and fourteen (14) east (New Mexico principal base and meridian) on the fourth (4th) standard parallel north; thence northerly along the range line between ranges thirteen (13) and fourteen (14) east to the closing corner between ranges thirteen (13) and fourteen (14) east on the fifth (5th) standard parallel north; thence along said fifth (5th) standard parallel to the southeast corner of township twenty-one (21) north, range thirteen (13) east; thence north six (6) miles; thence west twelve (12) miles; thence due south to the fifth (5th) standard parallel; thence westerly on said fifth (5th) standard parallel to a point due north of the northwest corner of township seventeen (17) north, range eleven (11) east; thence south to the fourth (4th) standard parallel; thence westerly on said fourth (4th) standard parallel north seven and sixty-two one-hundredths (7.62) chains to the northwest corner of township sixteen (16) north, range eleven (11) east; thence southerly on the range line between townships sixteen (16) north, ranges ten (10) and eleven (11) east, three (3) miles and three and forty-three hundredths (3.43) chains to the corner to sections thirteen (13), eighteen (18), nineteen (19), and twenty-four (24) on said range line; thence easterly along the section lines to the range line between ranges eleven (11) and twelve (12) east; thence northerly three (3) miles and three (3) chains to the fourth (4th) standard parallel north; thence easterly on said fourth (4th) standard parallel eight (8) and fifty-hundredths (8.50) chains to the standard corner to township seventeen (17) north, ranges eleven (11) and twelve (12) east; thence northerly on the range line to the southwest corner of township eighteen (18) north, range twelve (12) east; thence easterly on the township line six (6) miles one and six-hundredths (1.06) chains to the southeast corner of township eighteen (18) north, range twelve (12) east; thence south six (6) miles to the fourth (4th) standard parallel north; thence east along said fourth (4th) standard parallel to the place of beginning.

Excepting from the force and effect of this proclamation all land which may have been prior to the date hereof embraced in any valid Spanish or Mexican grant or in any legal entry or covered by any lawful filing duly made in the proper United States land office, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman or claimant continues to comply with the law under which the entry, filing, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of January, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the attention of the Government of Great Britain was called to the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Great Britain at Washington has communicated to the Secretary of State the fact that, in view of the act of Congress above cited, the Government of Great Britain has by due legal enactment authorized the admission, from and after February 1, 1892, of the articles in merchandise named in the following schedules, on the terms stated therein, into the British colonies of Trinidad (which includes Tobago), Barbados, the Leeward Islands (consisting of the islands of Antigua, Montserrat, St. Christopher, Nevis, Dominica, with their respective dependencies, and the Virgin Islands), the Windward Islands (consisting of St. Lucia, St. Vincent, and their dependencies, but exclusive of Grenada and its dependencies), and into the colony of British Guiana on and after April 1, 1892:

TABLE NO. 1.—APPLICABLE TO BRITISH GUIANA, TRINIDAD AND TOBAGO, BARBADOS, THE LEEWARD ISLANDS, AND THE WINDWARD ISLANDS EXCEPTING THE ISLAND OF GRENADA.

SCHEDULE A.

Articles to be admitted free of all customs duty and any other national, colonial, or municipal charges:

1. Animals, alive, to include only asses, sheep, goats, hogs, and poultry, and horses for breeding.
2. Beef, including tongues, smoked and dried.
3. Beef and pork preserved in cans.
4. Belting for machinery, of leather, canvas, or india rubber.
5. Boats and lighters.
6. Books,* bound or unbound, pamphlets, newspapers, and printed matter in all languages.
7. Bones and horns.
8. Bottles of glass or stone ware.
9. Bran, middlings, and shorts.

* The importation of books is subject to the provisions of copyright laws.

10. Bridges of iron or wood, or of both combined.
11. Brooms, brushes, and whisks of broom straw.
12. Candles, tallow.
13. Carts, wagons, cars, and barrows, with or without springs, for ordinary roads and agricultural use, not including vehicles of pleasure.
14. Clocks, mantel or wall.
15. Copper, bronze, zinc, and lead articles, plain and nickel plated, for industrial and domestic uses and for building.
16. Cotton seed and its products.
17. Crucibles and melting pots of all kinds.
18. Eggs.
19. Fertilizers of all kinds, natural and artificial.
20. Fish, fresh or on ice, and salmon and oysters in cans.
21. Fishing apparatus of all kinds.
22. Fruits and vegetables, fresh and dried, when not canned, tinned, or bottled.
23. Gas fixtures and pipes.
24. Gold and silver coin of the United States, and bullion.
25. Hay and straw for forage.
26. Houses of wood, complete.
27. Ice.
28. India-rubber and gutta-percha goods, including waterproof clothing made wholly or in part thereof.
29. Implements, utensils, and tools for agriculture, exclusive of cutlasses and forks.
30. Lamps and lanterns.
31. Lime of all kinds.
32. Locomotives, railway rolling stock, rails, railway ties, and all materials and appliances for railways and tramways.
33. Marble or alabaster, in the rough or squared, worked or carved, for building purposes or monuments.
34. Medicinal extracts and preparations of all kinds, including proprietary or patent medicines, but exclusive of quinine or preparations of quinine, opium, gange, and bhang.
35. Paper of all kinds for printing.
36. Paper of wood or straw for wrapping and packing, including surface coated or glazed.
37. Photographic apparatus and chemicals.
38. Printers' ink, all colors.
39. Printing presses, types, rules, spaces, and all accessories for printing.
40. Quicksilver.
41. Resin, tar, pitch, and turpentine.
42. Salt.
43. Sewing machines and all parts and accessories thereof.
44. Shipbuilding materials and accessories of all kinds, when used in the construction, equipment, or repair of vessels or boats of any kind, except rope and cordage of all kinds, including wire rope.
45. Starch of Indian corn or maize.
46. Steam and power engines, and machines, machinery, and apparatus, whether stationary or portable, worked by power or by hand, for agriculture, irrigation, mining, the arts and industries of all kinds, and all necessary parts and appliances for the erection or repair thereof or the communication of motive power thereto.
47. Steam boilers and steam pipes.
48. Sulphur.
49. Tan bark of all kinds, whole or ground.
50. Telegraph wire, telegraphic, telephonic, and electrical apparatus and appliances of all kinds for communication or illumination.
51. Trees, plants, vines, and seeds and grains of all kinds, for propagation or cultivation.

52. Varnish, not containing spirits.
53. Wall papers.
54. Watches when not cased in gold or silver, and watch movements uncased.
55. Water pipes of all classes, materials, and dimensions.
56. Wire for fences, the hooks, staples, nails, and the like appliances for fastening the same.
57. Yeast cake and baking powders.
58. Zinc, tin, and lead, in sheets, asbestus, and tar paper, for roofing.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

SCHEDULE B.

Articles to be admitted at 50 per cent reduction of the duty designated in the respective customs tariff now in force in each of said colonies:

1. Bacon and bacon hams.
2. Boots and shoes made wholly or in part of leather.
3. Bread and biscuit.
4. Cheese.
5. Lard and its compounds.
6. Mules.
7. Oleomargarine.
8. Shooks and staves.

SCHEDULE C.

Articles to be admitted at 25 per cent reduction of the duty designated in the respective customs tariff now in force in each of said colonies:

1. Beef, salted or pickled.
2. Corn or maize.
3. Corn meal.
4. Flour of wheat.
5. Lumber of pitch pine, in rough or prepared for buildings.
6. Petroleum and its products, crude or refined.
7. Pork, salted or pickled.
8. Wheat.

It is understood that No. 4 of this schedule shall not apply to the colony of Trinidad, but it is stipulated that the duty on flour in said colony shall not exceed 75 cents per barrel.

And that the Government of Great Britain has by due legal enactment authorized the admission, from and after February 1, 1892, of the articles or merchandise named in the following schedules, on the terms stated therein, into the British colony of Jamaica and its dependencies:

TABLE NO. 2.—APPLICABLE TO THE COLONY OF JAMAICA AND ITS DEPENDENCIES.

SCHEDULE A.

Articles to be admitted free of all customs duty and any other national, colonial, or municipal charges:

1. Animals, alive, and poultry.
2. Beef, including tongues, smoked and dried.
3. Beef and pork preserved in cans.
4. Belting for machinery, of leather, canvas, or india rubber.
5. Boats and lighters.
6. Books,* bound or unbound, pamphlets, newspapers, and printed matter in all languages.
7. Bones and horns.

* The importation of books is subject to the provisions of copyright laws.

8. Bottles of glass or stone ware.
9. Bran, middlings, and shorts.
10. Bridges of iron or wood, or of both combined.
11. Brooms, brushes, and whisks of broom straw.
12. Candles, tallow.
13. Carts, wagons, cars, and barrows, with or without springs, for ordinary roads and agricultural use, not including vehicles of pleasure.
14. Coal and coke.
15. Clocks, mantel or wall.
16. Cotton seed and its products, to include meal, meal cake, oil, and cottolene.
17. Crucibles and melting pots of all kinds.
18. Drawings, paintings, engravings, lithographs, and photographs
19. Eggs.
20. Fertilizers of all kinds, natural and artificial.
21. Fish, fresh or on ice, and oysters in cans.
22. Fishing apparatus of all kinds.
23. Fruits and vegetables, fresh and dried, when not canned, tinned, or bottled.
24. Gas fixtures and pipes.
25. Gold and silver coin of the United States, and bullion.
26. Hay and straw for forage.
27. Houses of wood, complete.
28. Ice.
29. India-rubber and gutta-percha goods, including waterproof clothing made wholly or in part thereof.
30. Implements, utensils, and tools for agriculture, exclusive of cutlasses and forks.
31. Iron, galvanized.
32. Iron for roofing.
33. Lamps and lanterns, not exceeding 10 shillings each in value.
34. Lime of all kinds.
35. Locomotives, railway rolling stock, rails, railway ties, and all materials and appliances for railways and tramways.
36. Marble or alabaster, in the rough or squared, worked or carved, for building purposes or monuments.
37. Paper of all kinds for printing.
38. Paper of wood or straw for wrapping and packing, including surface coated or glazed.
39. Photographic apparatus and chemicals.
40. Printers' ink, all colors.
41. Printing presses, types, rules, spaces, and all accessories for printing.
42. Proprietary or patent medicines, recommended by their proprietors as calculated to cure disease or alleviate pain in the human subject.
43. Quicksilver.
44. Resin, tar, pitch, and turpentine.
45. Sewing machines and all parts and accessories thereof.
46. Shipbuilding materials and accessories of all kinds, when used in the construction, equipment, or repair of vessels or boats of any kind, except rope and cordage of all kinds, including wire rope, and subject to specific regulations to avoid abuse in the importation.
47. Shooks and staves.
48. Starch of Indian corn or maize.
49. Steam and power engines, and machines, machinery, and apparatus, whether stationary or portable, worked by power or by hand, for agriculture, irrigation, mining, the arts and industries of all kinds, and all necessary parts and appliances for the erection or repair thereof or the communication of motive power thereto.

50. Steam boilers and steam pipes.
51. Sugar, refined.
52. Sulphur.
53. Tallow and animal greases.
54. Tan bark of all kinds, whole or ground.
55. Telegraph wire, telegraphic, telephonic, and electrical apparatus and appliances of all kinds for communication or illumination.
56. Trees, plants, vines, and seeds and grains of all kinds for propagation or cultivation.
57. Varnish, not containing spirits.
58. Wall papers.
59. Watches when not cased in gold or silver, and watch movements uncased.
60. Water pipes of all classes, materials, and dimensions.
61. Wire for fences, with the hooks, staples, nails, and the like appliances for fastening the same.
62. Yeast cake and baking powders.
63. Zinc, tin, and lead, in sheets, asbestus, and tar paper, for roofing.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

SCHEDULE B.

Articles to be admitted at 50 per cent reduction of the duty designated in the customs tariff now in force:

1. Bacon and bacon hams.
2. Bread and biscuit.
3. Butter.
4. Cheese.
5. Lard and its compounds.

Lumber of pitch pine, in rough or prepared for buildings, to be reduced to 9 shillings per 1,000 feet.

SCHEDULE C.

Articles to be admitted at 25 per cent reduction of the duty designated in the customs tariff now in force:

1. Beef, salted or pickled.
2. Corn and maize.
3. Corn meal.
4. Oats.
5. Petroleum and its products, crude or refined.
6. Pork, salted or pickled.
7. Wheat.

And whereas the Secretary of State has, by my direction, given the assurance to the envoy extraordinary and minister plenipotentiary of Great Britain at Washington that this action of the Government of Great Britain in granting remissions and alterations of duties in the British colonies above mentioned is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of the aforesaid British colonies to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of February, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports and for other purposes," the attention of the Government of the German Empire was called to the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the chargé d'affaires of the German Empire at Washington has communicated to the special plenipotentiary of the United States the fact that, in view of the act of Congress above cited, the German Imperial Government has by due legal enactment authorized the admission, from and after February 1, 1892, into the German Empire of the articles or merchandise the product of the United States of America named in the following schedule, on the terms stated therein:

Schedules of articles to be admitted into Germany.

Articles.	Rate of duty per 100 kilograms.
	Marks.
1. Bran; malted germs	Free.
2. Flax, raw, dried, broken, or hatcheled; also refuse portions	Free.
3. Wheat	3.50
4. Rye	3.50
5. Oats	2.80
6. Buckwheat	2.00
7. Pulse	1.50
8. Other kinds of grain not specially mentioned	1.00
9. Barley	2.00
10. Rape seed, turnip seed, poppy, sesame, peanuts, and other oleaginous products not specially mentioned	2.00
11. Maize (Indian corn)	1.60
12. Malt (malted barley)	3.60
13. Anise, coriander, fennel, and caraway seed	3.00
14. Agricultural productions not otherwise designated	Free.
15. Horsehair, raw, hatcheled, boiled, dyed, also laid in the form of tresses and spun; bristles; raw bed feathers	Free.

Schedules of articles to be admitted into Germany—Continued.

Articles.	Rate of duty per 100 kilograms.
	Marks.
16. Bed feathers, cleaned and prepared	Free.
17. Hides and skins, raw (green, salted, limed, dried), and stripped of the hair for the manufacture of leather	Free.
18. Charcoal	Free.
19. Bark of wood and tan bark	Free.
20. Lumber and timber:	
(*a*) Raw or merely roughhewn with ax or saw, with or without bark; oaken barrel staves	0.20
(*b*) Marked in the direction of the longitudinal axis, or prepared or cut otherwise than by roughhewing; barrel staves not included under (*a*); unpeeled osiers and hoops; hubs, felloes, and spokes	0.30
(*c*) Sawed in the direction of the longitudinal axis; unplaned boards; sawed cantle woods and other articles sawn or hewn	0.80
21. Wood in cut veneering; unglued, unstained parts of floors	5.00
22. Hops; also hop meal	*14.00
23. Butter; also artificial butter	17.00
24. Meat, slaughtered, fresh, with the exception of pork	15.00
25. Pork, slaughtered, fresh, and dressed meat, with the exception of bacon, fresh or prepared	17.00
26. Game of all kinds (not alive)	20.00
27. Cheese, except Strecchino, Gorgonzola, and Parmesan	20.00
28. Fruit, seeds, berries, leaves, flowers, mushrooms, vegetables, dried, baked, pulverized, only boiled down or salted—all these products so far as they are not included under other numbers of the tariff; juices of fruits, berries, and turnips, preserved without sugar, to be eaten; dry nuts	4.00
29. Mill products of grain and pulse, to wit, ground or shelled grains, peeled barley, groats, grits, flour, common cakes (bakers' products)	7.30
30. Residue, solid, from the manufacture of fat oils, also ground	Free.
31. Goose grease and other greasy fats, such as oleomargarine, sperfett (a mixture of stearic fats with oil), beef marrow	10.00
32. Live animals and animal products not mentioned elsewhere; also beehives with live bees	Free.
33. Horses (remarks) ..... each	20.00
(*a*) Horses up to 2 years old ..... do	10.00
(*b*) Colts following their dams	Free.
34. Bulls and cows	9.00
35. Oxen	25.50
36. Calves less than 6 weeks old	3.00
37. Hogs	5.00
38. Pigs weighing less than 10 kilograms	1.00
39. Sheep	1.00
40. Lambs	0.50
41. Wool, including animal hair not mentioned elsewhere, as well as stuffs made thereof:	
(*a*) Wool, raw, dyed, ground; also hair, raw, hatcheled, boiled, dyed; also curled	Free.

*Gross.

And whereas the special plenipotentiary of the United States has, by my direction, given assurance to the chargé d'affaires of the German Empire at Washington that this action of the Government of the German Empire in granting exemption of duties to the products and manufactures of the United States of America on their importation into Germany

is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of the German Empire to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 1st day of February, [SEAL.] 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Commencing at the northeast corner of section four (4), township eleven (11) north, range sixty-seven (67) west of the sixth (6th) principal meridian; thence proceeding westerly along the township line between townships ten (10) and eleven (11) south to the northwest corner of section six (6), township eleven (11) south, range sixty-eight (68) west; thence southerly along the range line between ranges sixty-eight (68) and sixty-nine (69) west to the southwest corner of section

eighteen (18), township thirteen (13) south, range sixty-eight (68) west; thence westerly along the section line to the northwest corner of section nineteen (19), township thirteen (13) south, range sixty-nine (69) west; thence southerly along the range line between ranges sixty-nine (69) and seventy (70) west to the southwest corner of section thirty-one (31), township thirteen (13) south, range sixty-nine (69) west; thence east along the township line between townships thirteen (13) and fourteen (14) south to the half-section corner on said township line of section two (2), township fourteen (14) south, range sixty-nine (69) west; thence southerly through the middle of sections two (2), eleven (11), and fourteen (14) to a point in the middle of the north line of section twenty-three (23) of said township and range; thence easterly along said northern section line to the northeast corner of said section; thence southerly between sections twenty-three (23) and twenty-four (24) to the middle of the east line of section twenty-three (23); thence easterly through the middle of section twenty-four (24) to the middle of the east line of said section twenty-four (24), township fourteen (14) south, range sixty-nine (69) west; thence southerly along the range line between ranges sixty-eight (68) and sixty-nine (69) west to the southwest corner of section thirty-one (31), township fifteen (15) south, range sixty-eight (68) west; thence east along the township line between townships fifteen (15) and sixteen (16) south to the southeast corner of section thirty-four (34), township fifteen (15) south, range sixty-seven (67) west; thence northerly along the section line to the northeast corner of the southeast quarter of section twenty-two (22), township fifteen (15) south, range sixty-seven (67) west; thence westerly to the northwest corner of the southeast quarter of section twenty-one (21) of said last-named township and range; thence southerly to the southwest corner of the southeast quarter of section twenty-eight (28) of said township and range; thence westerly along the section line to the corner common to sections twenty-five (25), thirty-one (31), and thirty-six (36) of said township and range; thence northerly on the section line to the corner common to sections one (1), six (6), and twelve (12) of said township and range; thence easterly along the section line to the corner common to sections five (5), six (6), and eight (8); thence southerly along the section line to the southwest corner of section eight (8) of said township and range; thence easterly along the section line to the corner common to sections ten (10), eleven (11), and fourteen (14) of said township and range; thence northerly along the section line to the northeast corner of section three (3); thence westerly to the northwest corner of section three (3) of said township and range; thence northerly along the section line to the corner common to sections sixteen (16), twenty-one (21), twenty-two (22), and fifteen (15), township fourteen (14) south, range sixty-seven (67) west; thence westerly along the section line to the northwest corner of section nineteen (19) of said township and range; thence

northerly along the range line between ranges sixty-seven (67) and sixty-eight (68) to the northeast corner of section one (1), township fourteen (14) south, range sixty-eight (68) west; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of section thirty-three (33) of township thirteen (13) south, range sixty-seven (67) west; thence northerly along the section line to the place of beginning.

Excepting from the force and effect of this proclamation all surveyed land which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly made in the proper United States land office, all unsurveyed lands on which valid settlement has been made under any law of the United States, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of February, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea; and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month at least in one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering said waters for the purpose of violating the provisions of said section; and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above-recited statutes, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be or to have been engaged in any violation of the laws of the United States in said waters will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of February, 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Nicaragua the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Nicaragua at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the

Government of Nicaragua will by due legal enactment admit free of all duty, from and after April 15, 1892, into all the ports of entry of Nicaragua the articles or merchandise named in the following schedule, provided that the same be the product of the United States:

SCHEDULE OF ARTICLES WHICH THE REPUBLIC OF NICARAGUA WILL ADMIT FREE OF ALL KIND OF DUTY.

1. Animals, live.
2. Barley, Indian corn, wheat, oats, rye, and rice.
3. Seeds of all kinds for agriculture and horticulture.
4. Live plants of all kinds.
5. Corn meal.
6. Starch.
7. Beans, potatoes, and all other vegetables, fresh or dried.
8. Fruits, fresh or dried.
9. Hay, bran, and straw for forage.
10. Cotton-seed oil and all other products of said seed.
11. Tar, resin, and turpentine.
12. Asphalt, crude or manufactured in blocks.
13. Quicksilver for mining purposes.
14. Coal, mineral or animal.
15. Fertilizers for land.
16. Lime and cement.
17. Wood and lumber, in the rough or prepared for building purposes.
18. Houses of wood or iron.
19. Marble, in the rough or dressed, for fountains, gravestones, and building purposes.
20. Tools and implements for agricultural and horticultural purposes.
21. Wagons, carts, and handcarts.
22. Iron and steel, in rails for railroads and other similar uses, and structural iron and steel for bridges and building purposes.
23. Wire, for fences, with or without barbs, clamps, posts, clips, and other accessories of wire, not less than 3 lines in diameter.
24. Machinery of all kinds for agricultural purposes, arts, and trades, and parts of such machinery.
25. Motors of steam or animal power.
26. Forgers, water pumps of metal, pump hose, sledge hammers, drills for mining purposes, iron piping with its keys and faucets, crucibles for melting metals, iron water tanks, and lightning rods.
27. Roofs of galvanized iron, gutters, ridging, clamps, and screws for the same.
28. Printing materials.
29. Books, pamphlets, and other printed matter, and ruled paper for printed music, printing paper in sheets not less than 29 by 20 inches.
30. Geographical maps or charts and celestial and terrestrial spheres or globes.
31. Surgical and mathematical instruments.
32. Stones and fire bricks for smelting furnaces.
33. Vessels and boats of all kinds, fitted together or in parts.
34. Gold and silver in bullion, bars, or coin.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Nicaragua has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud

FORT AND BLOCKHOUSE AT EL CANEY

THE FIGHT AT EL CANEY

General Shafter had planned to envelop Santiago by driving in the outposts at San Juan and El Caney. The pictures regarding the San Juan charge appear elsewhere. The illustration on the reverse shows the blockhouse and fort at El Caney where occurred the gallant defense of Brigadier-General Vera de Rey, who died fighting. After Capron's battery had shelled the town from its position 2,400 yards distant, Major-General Adna R. Chaffee sent his men forward with one hundred rounds of ammunition apiece. Approaching from three directions, their fire nearly encircled the town. The enemy were strongly posted in a church, a stone fort, a blockhouse, trenches and various redoubts, like that shown in another picture. Our troops, who were forced to economize their ammunition, drove the Spaniards from their trenches into the blockhouses and fort, from whence they poured an exceedingly damaging fire. Capron's battery concentrated on the fort and it was soon rent and shattered. Then our infantry charged forward and captured the fort, but not until every man of the defenders was killed or wounded. The Spanish blockhouses were forced to surrender at the same time. Out of General de Rey's five hundred and twenty men only one hundred remained alive at the end of the action.

President McKinley's messages form the official history of the war. The Encyclopedic Index covers it by the articles entitled "Spanish-American War," "Spain," "Spain, Treaties with," "Cuba," "Santiago, Battle of," "Santiago Harbor, Battle of," "Guantanamo, Battle of," and "Manila Bay, Battle of."

in the declarations and proof that the articles named in the foregoing schedule are the product of the United States of America shall impose no undue restrictions on the importer nor additional charges on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Nicaragua at Washington that this action of the Government of Nicaragua in granting freedom of duties to the products of the United States of America on their importation into Nicaragua is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Nicaragua to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in section 3 of an act passed by the Congress of the United States entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, it was provided as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides the production of such country for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country—

the duties hereinafter set forth; and

Whereas it has been established to my satisfaction and I find the fact

to be that the Government of Colombia does impose duties or other exactions upon the agricultural and other products of the United States which, in view of the free introduction of such sugars, molasses, coffee, tea, and hides into the United States, in accordance with the provisions of said act, I deem to be reciprocally unequal and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 3 of said act, by which it is made my duty to take action, do hereby declare and proclaim that the provisions of said act relating to the free introduction of sugars, molasses, coffee, tea, and hides the production of Colombia shall be suspended from and after this 15th day of March, 1892, and until such time as said unequal and unreasonable duties and exactions are removed by Colombia and public notice of that fact given by the President of the United States; and I do hereby proclaim that on and after this 15th day of March, 1892, there will be levied, collected, and paid upon sugars, molasses, coffee, tea, and hides the product of or exported from Colombia during such suspension duties as provided by said act, as follows:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic tests as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seven-tenths of 1 cent per pound, and for every additional degree or fraction of a degree shown by the polariscopic test two-hundredths of 1 cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely:

All sugars above No. 13 and not above No. 16 Dutch standard of color, 1⅜ cents per pound.

All sugars above No. 16 and not above No. 20 Dutch standard of color, 1⅝ cents per pound.

All sugars above No. 20 Dutch standard of color, 2 cents per pound.

Molasses testing above 56°, 4 cents per gallon.

Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

On coffee, 3 cents per pound.

On tea, 10 cents per pound.

Hides, raw or uncured, whether dry, salted, or pickled; Angora-goat skins, raw, without the wool, unmanufactured; asses' skins, raw or unmanufactured, and skins, except sheepskins, with the wool on, 1½ cents per pound.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in section 3 of an act passed by the Congress of the United States entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, it was provided as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides the production of such country for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country—

the duties hereinafter set forth; and

Whereas it has been established to my satisfaction and I find the fact to be that the Government of Hayti does impose duties or other exactions upon the agricultural and other products of the United States which, in view of the free introduction of such sugars, molasses, coffee, tea, and hides into the United States, in accordance with the provisions of said act, I deem to be reciprocally unequal and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 3 of said act, by which it is made my duty to take action, do hereby declare and proclaim that the provisions of said act relating to the free introduction of sugars, molasses, coffee, tea, and hides the production of Hayti shall be suspended from and after this 15th day of March, 1892, and until such time as said unequal and unreasonable duties and exactions are removed by Hayti and public notice of that fact given by the President of the United States; and I do hereby proclaim that on and after this 15th day of March, 1892, there will be levied, collected, and paid upon sugars, molasses, coffee, tea, and hides the product of or exported from Hayti during such suspension duties as provided by said act, as follows:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic tests as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seven-tenths of 1 cent per pound and for every additional degree or fraction of a degree shown by the polariscopic test two-hundredths of 1 cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard of color, 1⅜ cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard of color, 1⅝ cents per pound.

All sugars above No. 20 Dutch standard of color, 2 cents per pound.

Molasses testing above 56°, 4 cents per gallon.

Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

On coffee, 3 cents per pound.

On tea, 10 cents per pound.

Hides, raw or uncured, whether dry, salted, or pickled; Angora-goat skins, raw, without the wool, unmanufactured; asses' skins, raw or unmanufactured, and skins, except sheepskins, with the wool on, 1½ cents per pound.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in section 3 of an act passed by the Congress of the United States entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, it was provided as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides the production of such country for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country—

the duties hereinafter set forth; and

Whereas it has been established to my satisfaction and I find the fact to be that the Government of Venezuela does impose duties or other

exactions upon the agricultural and other products of the United States which, in view of the free introduction of such sugars, molasses, coffee, tea, and hides into the United States, in accordance with the provisions of said act, I deem to be reciprocally unequal and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 3 of said act, by which it is made my duty to take action, do hereby declare and proclaim that the provisions of said act relating to the free introduction of sugars, molasses, coffee, tea, and hides the production of Venezuela shall be suspended from and after this 15th day of March, 1892, and until such time as said unequal and unreasonable duties and exactions are removed by Venezuela and public notice of that fact given by the President of the United States; and I do hereby proclaim that on and after this 15th day of March, 1892, there will be levied, collected, and paid upon sugars, molasses, coffee, tea, and hides the product of or exported from Venezuela during such suspension duties as provided by said act, as follows:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic tests as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seven-tenths of 1 cent per pound, and for every additional degree or fraction of a degree shown by the polariscopic test two-hundredths of 1 cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard of color, 1⅜ cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard of color, 1⅝ cents per pound.

All sugars above No. 20 Dutch standard of color, 2 cents per pound.

Molasses testing above 56°, 4 cents per gallon.

Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

On coffee, 3 cents per pound.

On tea, 10 cents per pound.

Hides, raw or uncured, whether dry, salted, or pickled; Angora-goat skins, raw, without the wool, unmanufactured; asses' skins, raw or unmanufactured, and skins, except sheepskins, with the wool on, 1½ cents per pound.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the lands hereinafter described are public and forest bearing, and on the 11th day of February last I issued a proclamation * intended to reserve the same as authorized in said act; but as some question has arisen as to the boundaries proclaimed being sufficiently definite to cover the lands intended to be reserved:

Now, therefore, I, Benjamin Harrison, President of the United States, for the purpose of removing any doubt and making the boundaries of said reservation more definite, by virtue of the power in me vested by said act, do hereby issue this my second proclamation and hereby set apart, reserve, and establish as a public reservation all that tract of land situate in the State of Colorado embraced within the following boundary:

Beginning at the northeast corner of section four (4), township eleven (11) south, range sixty-seven (67) west of the sixth (6th) principal meridian; thence westerly along the second (2d) correction line south between townships ten (10) and eleven (11) south to the northwest corner of section six (6), township eleven (11) south, range sixty-eight (68) west; thence southerly along the range line between ranges sixty-eight (68) and sixty-nine (69) west to the southwest corner of section eighteen (18), township thirteen (13) south, range sixty-eight (68) west; thence westerly along the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19), township thirteen (13) south, range sixty-nine (69) west; thence southerly along the range line between ranges sixty-nine (69) and seventy (70) west to the southwest corner of section thirty-one (31) of said township; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the quarter-section corner on said township line between section thirty-five (35), township thirteen (13) south, range sixty-nine (69) west, and section two (2), township fourteen (14) south, range sixty-nine (69) west; thence southerly through the middle of sections two (2), eleven (11), and fourteen (14), township fourteen (14) south, range sixty-nine (69) west, to the

*See pp. 5695–5697.

quarter-section corner on the section line between sections fourteen (14) and twenty-three (23) of said township and range; thence easterly along said section line to the northeast corner of section twenty-three (23) of said township and range; thence southerly along the section line to the quarter-section corner on said line between sections twenty-three (23) and twenty-four (24) of said township and range; thence easterly through the middle of section twenty-four (24) to the quarter-section corner on the range line between section nineteen (19), township fourteen (14) south, range sixty-eight (68) west, and section twenty-four (24), township fourteen (14) south, range sixty-nine (69) west; thence southerly along said range line to the southwest corner of section thirty-one (31), township fifteen (15) south, range sixty-eight (68) west; thence easterly along the third (3d) correction line south between townships fifteen (15) and sixteen (16) south to the southeast corner of section thirty-four (34), township fifteen (15) south, range sixty-seven (67) west; thence northerly along the section line between sections thirty-four (34) and thirty-five (35), twenty-six (26) and twenty-seven (27), to the point for the quarter-section corner on the section line between sections twenty-two (22) and twenty-three (23), township fifteen (15) south, range sixty-seven (67) west; thence westerly to a point for the legal center of section twenty-one (21) of said township and range; thence southerly to the southwest corner of the southeast quarter of section twenty-eight (28) of said township and range; thence westerly along the section line between sections twenty-eight (28) and thirty-three (33), twenty-nine (29) and thirty-two (32), thirty (30) and thirty-one (31), to the northwest corner of section thirty-one (31) of said township and range; thence northerly on the range line between ranges sixty-seven (67) and sixty-eight (68) west to the southwest corner of section six (6) of said township and range; thence easterly along the section line to the southeast corner of section six (6) of said township and range; thence southerly along the section line to the southwest corner of section eight (8) of said township and range; thence easterly along the section line to the southeast corner of section ten (10) of said township and range; thence northerly along the section line between sections ten (10) and eleven (11), two (2) and three (3), township fifteen (15) south, range sixty-seven (67) west, to the northeast corner of section three (3) of said township and range; thence westerly along the township line between townships fourteen (14) and fifteen (15) south to the northwest corner of section three (3), township fifteen (15) south, range sixty-seven (67) west; thence northerly along the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), to the northeast corner of section twenty-one (21), township fourteen (14) south, range sixty-seven (67) west; thence westerly along the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), eighteen (18) and nineteen

(19), to the northwest corner of section nineteen (19) of said township and range; thence northerly along the range line between ranges sixty-seven (67) and sixty-eight (68) west to the northeast corner of section one (1), township fourteen (14) south, range sixty-eight (68) west; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of section thirty-three (33), township thirteen (13) south, range sixty-seven (67) west; thence northerly along the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) of townships thirteen (13), twelve (12), and eleven (11) south, range sixty-seven (67) west, to the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of March, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by the third article of the treaty between the United States of America and the Sisseton and Wahpeton bands of Dakota or Sioux Indians concluded February 19, 1867, proclaimed May 2, 1867 (15 U. S. Statutes at Large, p. 505), the United States set apart and reserved for certain of said Indians certain lands, particularly described, being situated

partly in North Dakota and partly in South Dakota and known as the Lake Traverse Reservation; and

Whereas by agreement made with said Indians residing on said reservation dated December 12, 1889, they conveyed, as set forth in article 1 thereof, to the United States all their title and interest in and to all the unallotted lands within the limits of the reservation set apart as aforesaid remaining after the allotments shall have been made, which are provided for in article 4 of the agreement, as follows:

> That there shall be allotted to each individual member of the bands of Indians parties hereto a sufficient quantity, which, with the lands heretofore allotted, shall make in each case 160 acres, and in case no allotment has been made to any individual member of said bands, then an allotment of 160 acres shall be made to such individual.

And whereas it is provided in article 2 of said agreement—

> That the cession, sale, relinquishment, and conveyance of the lands described in article 1 of this agreement shall not take effect and be in force until the sum of $342,778.37, together with the sum of $18,400, shall have been paid to said bands of Indians, as set forth and stipulated in article 3 of this agreement.

And whereas it is provided in the act of Congress approved March 3, 1891 (26 U. S. Statutes at Large, pp. 1036–1038), section 30, accepting and ratifying the agreement with said Indians—

> That the lands by said agreement ceded, sold, relinquished, and conveyed to the United States shall immediately, upon the payment to the parties entitled thereto of their share of the funds made immediately available by this act, and upon the completion of the allotments as provided for in said agreement, be subject only to entry and settlement under the homestead and town-site laws of the United States, excepting the sixteenth and thirty-sixth sections of said lands, which shall be reserved for common-school purposes and be subject to the laws of the State wherein located: *Provided*, That patents shall not issue until the settler or entryman shall have paid to the United States the sum of $2.50 per acre for the land taken up by such homesteader, and the title to the lands so entered shall remain in the United States until said money is duly paid by such entryman or his legal representatives, or his widow, who shall have the right to pay the money and complete the entry of her deceased husband in her own name and shall receive a patent for the same.

And whereas payment as required by said act has been made by the United States; and

Whereas allotments as provided for in said agreement, as now appears by the records of the Department of the Interior, will have been made, approved, and completed and all other terms and considerations required will have been complied with on the day and hour hereinafter fixed for opening said lands to settlement:

Now, therefore, I, Benjamin Harrison, President of the United States, do hereby declare and make known that all of the lands embraced in said reservation, saving and excepting the lands reserved for and allotted to said Indians and the lands reserved for other purposes in pursuance of the provisions of said agreement and the said act of Congress ratifying

the same and other the laws relating thereto, will, at and after the hour of 12 o'clock noon (central standard time) on the 15th day of April, A. D. 1892, and not before, be opened to settlement under the terms of and subject to all the terms and conditions, limitations, reservations, and restrictions contained in said agreements, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be opened for settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Lake Traverse Reservation opened to settlement by proclamation of the President dated April 11, 1892," and which schedule is made a part hereof.

Warning, moreover, is hereby given that until said lands are opened to settlement as herein provided all persons save said Indians are forbidden to enter upon and occupy the same or any part thereof.

And further notice is hereby given that it has been duly ordered that the lands mentioned and included in this proclamation shall be, and the same are, attached to the Fargo and Watertown land districts, in said States, as follows:

1. All that portion of the Lake Traverse Reservation commencing at the northwest corner of said reservation; thence south 12° 2′ west, following the west boundary of the reservation, to the new seventh standard parallel, or boundary line between the States of North and South Dakota; thence east, following the new seventh standard parallel to its intersection with the north boundary of said Indian reservation; thence northwesterly with said boundary to the place of beginning, is attached to the Fargo land district, the office of which is now located at Fargo, N. Dak.

2. All that portion of the Lake Traverse Reservation commencing at a point where the new seventh standard parallel intersects the west boundary of said reservation; thence southerly along the west boundary of said reservation to its extreme southern limit; thence northerly along the east boundary of said reservation to Lake Traverse; thence north with said lake to the northeast corner of the Lake Traverse Indian Reservation; thence westerly with the north boundary of said reservation to its intersection with the new seventh standard parallel, or boundary line between the States of North and South Dakota; thence with the new seventh standard parallel to the place of beginning, is attached to the Watertown land district, the office of which is now located at Watertown, S. Dak.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of April, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

By the President of the United States of America.

A PROCLAMATION.

Whereas by a written agreement made on the —— day of October, 1890, the Cheyenne and Arapahoe tribes of Indians ceded, conveyed, transferred, relinquished, and surrendered all their claim, title, and interest in and to the lands described in article 2 of said agreement as follows, to wit:

Commencing at a point where the Washita River crosses the ninety-eighth degree of west longitude, as surveyed in the years 1858 and 1871; thence north on a line with said ninety-eighth degree to the point where it is crossed by the Red Fork of the Arkansas (sometimes called the Cimarron River); thence up said river, in the middle of the main channel thereof, to the north boundary of the country ceded to the United States by the treaty of June 14, 1866, with the Creek Nation of Indians; thence west on said north boundary and the north boundary of the country ceded to the United States by the treaty of March 21, 1866, with the Seminole Indians to the one hundredth degree of west longitude; thence south on the line of said one hundredth degree to the point where it strikes the North Fork of the Red River; thence down said North Fork of the Red River to a point where it strikes the north line of the Kiowa and Comanche Reservation; thence east along said boundary to a point where it strikes the Washita River; thence down said Washita River, in the middle of the main channel thereof, to the place of beginning; and all other lands or tracts of country in the Indian Territory to which they have or may set up or allege any right, title, interest, or claim whatsoever.

Provided, That every member of said tribes shall have an allotment of 160 acres of land, as in said agreement provided, to be selected within the tract of country so ceded, except land in any part of said reservation now used or occupied for military, agency, school, school-farm, religious, or other public uses, or in sections 16 or 36 in each Congressional township, except, in cases where any Cheyenne or Arapahoe Indian has heretofore made improvements upon and now uses and occupies a part of said sections 16 and 36, such Indian may make his or her selection within the boundaries so prescribed so as to include his or her improvements; and except in that part of the lands by said agreement ceded, now occupied and claimed by the Wichita and affiliated bands of Indians described as follows, to wit:

Commencing at a point in the middle of the main channel of the Washita River where the ninety-eighth meridian of west longitude crosses the same; thence up the middle of the main channel of the said river to the line of 98° 40′ west longitude; thence up said line of 98° 40′ due north to the middle of the main channel of the main Canadian River; thence down the middle of the main Canadian River to where it crosses the ninety-eighth meridian; thence due south to the place of beginning.

And provided, That said sections 16 and 36 in each Congressional township in said reservation shall not become subject to homestead entry, but shall be held by the United States and finally sold for public-school purposes; and that when the allotments of lands shall have been selected and

taken by the members of the Cheyenne and Arapahoe tribes as aforesaid and approved by the Secretary of the Interior the title thereto shall be held in trust for the allottees, respectively, for the period of twenty-five years in the manner and to the extent provided for in the act of Congress approved February 8, 1887 (24 U. S. Statutes at Large, p. 388); and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming the said agreement with the Cheyenne and Arapahoe Indians, approved March 3, 1891 (26 U. S. Statutes at Large, pp. 989–1044), section 16—

That whenever any of the lands acquired by either of the * * * foregoing agreements respecting lands in the Indian or Oklahoma Territory shall by operation of law or proclamation of the President of the United States be opened to settlement they shall be disposed of to actual settlers only, under the provisions of the homestead and town-site laws, except section 2301 of the Revised Statutes of the United States, which shall not apply: *Provided, however*, That each settler on said lands shall before making a final proof and receiving a certificate of entry pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of $1.50 per acre, one-half of which shall be paid within two years; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid; and all the lands in Oklahoma are hereby declared to be agricultural lands, and proof of their nonmineral character shall not be required as a condition precedent to final entry.

And whereas allotments of land in severalty to said Cheyenne and Arapahoe Indians have been made and approved in accordance with law and the provisions of the before-mentioned agreement with them; and

Whereas the lands acquired by the said agreement hereinbefore mentioned have been divided into counties by the Secretary of the Interior, as required by said last-mentioned act of Congress, before the same shall be opened to settlement, and lands have been reserved for county-seat purposes as therein required, as follows, to wit:

For County C, the south one-half of section 19, township 16 north, range 11 west; for County D, the north one-half of section 13, township 18 north, range 17 west; for County E, the south one-half of section 15, township 17 north, range 22 west; for County F, the south one-half of section 8, township 13 north, range 23 west; for County G, the north one-half of section 25, township 13 north, range 17 west; for County H, the south one-half of section 13, township 9 north, range 16 west; and

Whereas it is provided by act of Congress for temporary government of Oklahoma, approved May 2, 1890, section 23 (26 U. S. Statutes at Large, p. 92), that there shall be reserved public highways 4 rods wide between each section of land in said Territory, the section lines being the center of said highways; but no deduction shall be made where cash payments are provided for in the amount to be paid for each quarter section of land by reason of such reservation; and

Whereas all the terms, conditions, and considerations required by said

agreement made with said tribes of Indians and by the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, complied with:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned, also an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," approved March 3, 1891, and by other of the laws of the United States, and by said agreement, do hereby declare and make known that all of said lands hereinbefore described acquired from the Cheyenne and Arapahoe Indians by the agreement aforesaid, saving and excepting the lands allotted to the Indians as in said agreement provided, excepting also the lands hereinbefore described as occupied and claimed by the Wichita and affiliated bands of Indians, or otherwise reserved in pursuance of the provisions of said agreement and the said act of Congress ratifying the same, and other the laws relating thereto, will at the hour of 12 o'clock noon (central standard time), Tuesday, the 19th day of the present month of April, and not before, be opened to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreement, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Cheyenne and Arapahoe Indian Reservation, Oklahoma Territory, opened to settlement by proclamation of the President."

Each entry shall be in square form as nearly as applicable; and no other lands in the Territory of Oklahoma are opened to settlement under this proclamation, the agreement with the said Cheyenne and Arapahoe Indians, or the act ratifying the same.

Notice, moreover, is hereby given that it is by law enacted that until said lands are opened to settlement by proclamation no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire any right thereto, and that the officers of the United States will be required to enforce this provision.

And further notice is hereby given that it has been duly ordered that the lands mentioned and included in this proclamation shall be, and the same are, attached to the Western land district, office at Kingfisher, and the Oklahoma land district, office at Oklahoma City, in said Territory of Oklahoma, as follows:

1. All of said lands lying north of the township line between townships 13 and 14 north are attached to the Western land district, the office of which is at Kingfisher, in said Territory.

2. All of said lands lying south of the township line between townships 13 and 14 north are attached to the Oklahoma land district, the office of which is at Oklahoma City, in the said Territory.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of April, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas in virtue of said section 13 of the aforesaid act of Congress a copyright agreement was signed at Washington on January 15, 1892, in the English and German languages, by the representatives of the United States of America and the German Empire, a true copy of the English version of which agreement is, word for word, as follows:

The President of the United States of America and His Majesty the German Emperor, King of Prussia, in the name of the German Empire, being actuated by the desire to extend to their subjects and citizens the full benefit of the legal provisions in force in both countries in regard to copyright, have to this end decided to conclude an agreement and have appointed as their plenipotentiaries:

The President of the United States of America, James G. Blaine, Secretary of State of the United States;

His Majesty the German Emperor, King of Prussia, Alfons Mumm von Schwarzenstein, his chargé d'affaires near the Government of the United States of America, who, being duly authorized, have concluded the following agreement, subject to due ratification:

ARTICLE I. Citizens of the United States of America shall enjoy in the German Empire the protection of copyright as regards works of literature and art, as well as

photographs, against illegal reproduction, on the same basis on which such protection is granted to subjects of the Empire.

ART. II. The United States Government engages in return that the President of the United States shall, in pursuance of section 13 of the act of Congress of March 3, 1891, issue the proclamation therein provided for in regard to the extension of the provisions of that act to German subjects as soon as the Secretary of State shall have been officially notified that the present agreement has received the necessary legislative sanction in the German Empire.

ART. III. This agreement shall be ratified and the ratifications shall be exchanged at Washington as soon as possible.

The agreement shall go into operation at the expiration of three weeks from the date of the exchange of its ratifications, and shall be applicable only to works not published at the time when it shall have gone into operation. It shall remain in force until the expiration of three months from the day on which notice of a desire for the cessation of its effects shall have been given by one of the contracting parties.

Done in duplicate in the English and German languages, at the city of Washington, this 15th day of January, 1892.

JAMES G. BLAINE. [SEAL.]
A. v. MUMM. [SEAL.]

And whereas the official notification contemplated by Article II of the said agreement has been received by this Government:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, is now fulfilled in respect to the subjects of the German Empire.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, the 15th day of April, 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Honduras the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the consul-general of Honduras at New York has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Honduras will by

due legal enactment, as a provisional measure and until a more complete arrangement may be negotiated and put in operation, admit free of all duty, from and after May 25, 1892, into all the established ports of entry of Honduras the articles or merchandise named in the following schedule, provided that the same be the product or manufacture of the United States:

SCHEDULE OF PRODUCTS AND MANUFACTURES FROM THE UNITED STATES WHICH THE REPUBLIC OF HONDURAS WILL ADMIT FREE OF ALL CUSTOMS, MUNICIPAL, AND ANY OTHER KIND OF DUTY.

1. Animals for breeding purposes.
2. Corn, rice, barley, and rye.
3. Beans.
4. Hay and straw for forage.
5. Fruits, fresh.
6. Preparations of flour in biscuits, crackers not sweetened, macaroni, vermicelli, and tallarin.
7. Coal, mineral.
8. Roman cement.
9. Hydraulic lime.
10. Bricks, fire bricks, and crucibles for melting.
11. Marble, dressed, for furniture, statues, fountains, gravestones, and building purposes.
12. Tar, vegetable and mineral.
13. Guano and other fertilizers, natural or artificial.
14. Plows and all other agricultural tools and implements.
15. Machinery of all kinds, including sewing machines, and separate or extra parts of the same.
16. Materials of all kinds for the construction and equipment of railroads.
17. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.
18. Materials of all kinds for lighting by electricity and gas.
19. Materials of all kinds for the construction of wharves.
20. Apparatus for distilling liquors.
21. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, or flooring.
22. Wooden staves, heads, and hoops, and barrels and boxes for packing, mounted or in pieces.
23. Houses of wood or iron, complete or in parts.
24. Wagons, carts, and carriages of all kinds.
25. Barrels, casks, and tanks of iron for water.
26. Tubes of iron and all other accessories necessary for water supply.
27. Wire, barbed, and staples for fences.
28. Plates of iron for building purposes.
29. Mineral ores.
30. Kettles of iron for making salt.
31. Sugar boilers.
32. Molds for sugar.
33. Guys for mining purposes.
34. Furnaces and instruments for assaying metals.
35. Scientific instruments.
36. Models of machinery and buildings.
37. Boats, lighters, tackle, anchors, chains, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.

38. Printing materials, including presses, type, ink, and all other accessories.
39. Printed books, pamphlets, and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
40. Paper for printing newspapers.
41. Quicksilver.
42. Loadstones.
43. Hops.
44. Sulphate of quinine.
45. Gold and silver in bars, dust, or coin.
46. Samples of merchandise the duties on which do not exceed $1.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Honduras has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer nor undue restrictions on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the consul-general of Honduras at New York that this action of the Government of Honduras in granting freedom of duties to the products and manufactures of the United States of America on their importation into Honduras and in stipulating for a more complete reciprocity arrangement is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Honduras to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of April, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Guatemala the action of the Congress of the United States of America, with a view to

secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Guatemala at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Guatemala will by due legal enactment of the National Congress of that Republic admit free of all duty, from and after the 30th day after the passage of the said act by the Congress of Guatemala, into all the established ports of entry of that Republic the articles or merchandise named in the following schedule, provided that the same be the product or manufacture of the United States:

SCHEDULE OF ARTICLES THE PRODUCT OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO GUATEMALA FREE OF ALL CUSTOMS DUTIES AND OF ANY NATIONAL OR MUNICIPAL DUES AND NATIONAL PORT CHARGES.

1. Live animals.
2. Barley, corn or maize, and rye.
3. Corn meal.
4. Potatoes, pease, and beans.
5. Fresh vegetables.
6. Rice.
7. Hay and straw for forage.
8. Tar, pitch, resin, turpentine, and asphalt.
9. Cotton-seed oil and other products of said seed.
10. Quicksilver.
11. Mineral coal.
12. Guano and other fertilizers.
13. Lumber and timber, in the rough or prepared for building purposes.
14. Houses of wood or iron, complete or in parts.
15. Fire bricks, lime, cement, shingles, and tiles of clay or glass for roofing and construction of buildings.
16. Marble in slabs, columns, cornices, door and window frames, and fountains, and dressed or undressed marble for buildings.
17. Piping of clay, glazed or unglazed, for aqueducts and sewers.
18. Wire, plain or barbed, for fences, with hooks and staples for same.
19. Printed books, bound or unbound; printed music; maps, charts, and globes.
20. Materials for the construction and equipment of railways.
21. Materials for electrical illumination.
22. Materials expressly for the construction of wharves.
23. Anchors and hoisting tackle.
24. Railings of cast or wrought iron.
25. Balconies of cast or wrought iron.
26. Window blinds of wood or metal.
27. Iron fireplaces or stoves.
28. Machinery, including steam machinery for agriculture and mining, and separate parts of the same.
29. Gold and silver, in bullion, dust, or coin.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall enter free of duty if they are usual and proper for the purpose.

And whereas the Government of Guatemala has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no undue restrictions on the importer and no additional charges on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Guatemala at Washington that this action of the Government of Guatemala in granting freedom of duties to the products and manufactures of the United States of America on their importation into Guatemala, is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act; and

Whereas the diplomatic representative of the United States of America at the city of Guatemala has been advised by the Government of Guatemala of the passage on April 30, 1892, of an act by the National Congress of that Republic approving the commercial arrangement concluded between the Governments of the two Republics and of the issue of a decree admitting, on and after the 30th day of May, 1892, the articles mentioned in the above schedule being the product or manufacture of the United States of America into the ports of Guatemala free of all duties whatsoever:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Guatemala to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of May, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the attention of the Government of Austria-Hungary was called to the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the

articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the minister plenipotentiary of Austria-Hungary at Washington has communicated to the Secretary of State the fact that, in view of the act of Congress above cited, the Government of Austria-Hungary has by due legal enactment authorized the admission, from and after May 25, 1892, into Austria-Hungary of all the articles of merchandise the product of the United States of America named in the commercial treaties which Austria-Hungary has celebrated with Germany and other nations on the terms stated in said treaties; and

Whereas the Secretary of State has, by my direction, given assurance to the minister plenipotentiary of Austria-Hungary at Washington that this action of the Government of Austria-Hungary in granting exemption of duties to the products and manufactures of the United States of America on their importation into Austria-Hungary is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Austria-Hungary to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 26th day of May, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Oregon within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States,

by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Oregon and particularly described as follows, to wit:

Beginning at the northwest corner of section six (6), township one (1) south, range six (6) east, Willamette meridian; thence easterly on the base line between townships one (1) north and one (1) south to the southwest corner of section thirty-two (32), township one (1) north, range six (6) east; thence northerly on the section line between sections thirty-one (31) and thirty-two (32) to the northwest corner of section thirty-two (32); thence easterly on the section line between sections twenty-nine (29) and thirty-two (32) to the northeast corner of section thirty-two (32); thence northerly on the section line between sections twenty-eight (28) and twenty-nine (29) to the northwest corner of section twenty-eight (28); thence easterly on the section line between sections twenty-one (21) and twenty-eight (28) to the northeast corner of section twenty-eight (28); thence northerly on the section line between sections twenty-one (21) and twenty-two (22) to the northwest corner of section twenty-two (22); thence easterly on the section line between sections fifteen (15) and twenty-two (22) and fourteen (14) and twenty-three (23) to the northeast corner of section twenty-three (23); thence northerly along the section line between sections thirteen (13) and fourteen (14) and eleven (11) and twelve (12) to the northwest corner of section twelve (12); thence easterly on the section line between sections one (1) and twelve (12) to the northeast corner of section twelve (12); thence northerly on the eastern boundary of section one (1) to the northeast corner of section one (1), all of said sections being in township one (1) north, range six (6) east; thence easterly to a point for the northeast corner of township one (1) north, range seven (7) east; thence southerly to a point for the southeast corner of section one (1), township one (1) north, range seven (7) east; thence easterly to a point for the northeast corner of section eight (8), township one (1) north, range eight (8) east; thence southerly to a point for the northeast corner of section thirty-two (32) of said township and range; thence easterly to a point for the northeast corner of section thirty-three (33) of said township and range; thence southerly to the southeast corner of section thirty-three (33) of said township and range; thence westerly along the base line to the northwest corner of section four (4), township one (1) south, range eight (8) east; thence southerly on the section line between sections four (4) and five (5) and eight (8) and nine (9) to the southeast corner of section eight (8); thence easterly along the section line between sections nine (9) and sixteen (16) to a point for the northeast corner of section sixteen (16); thence southerly along the section line between sections fifteen (15) and sixteen (16) to the southeast corner of section sixteen (16); thence easterly along the section line between

sections fifteen (15) and twenty-two to the northeast corner of section twenty-two (22); thence southerly between sections twenty-two (22), twenty-three (23), twenty-six (26), twenty-seven (27), thirty-four (34), and thirty-five (35) to the southeast corner of section thirty-four (34); thence easterly along the southern boundary line of sections thirty-five (35) and thirty-six (36) to the southeast corner of section thirty-six (36), all of said sections being in township one (1) south, range eight (8) east; thence southerly to a point for the southeast corner of township two (2) south, range eight (8) east; thence westerly to the southeast corner of township two (2) south, range seven (7) east; thence northerly along the eastern boundary line of sections thirty-six (36), twenty-five (25), twenty-four (24), and thirteen (13), township two (2) south, range seven (7) east, to the southeast corner of section twelve (12) of said township and range; thence westerly along the section line between sections twelve (12) and thirteen (13), eleven (11) and fourteen (14), ten (10) and fifteen (15), nine (9) and sixteen (16), eight (8) and seventeen (17), and seven (7) and eighteen (18), township two (2) south, range seven (7) east, and sections twelve (12) and thirteen (13), eleven (11) and fourteen (14), ten (10) and fifteen (15), nine (9) and sixteen (16), eight (8) and seventeen (17), and seven (7) and eighteen (18), township two (2) south, range six (6) east, to the southwest corner of section seven (7) of said township and range; thence northerly along the western boundary of section seven (7) to the northwest corner of said section, township two (2) south, range six (6) east; thence westerly on the section line between sections one (1) and twelve (12), two (2) and eleven (11), three (3) and ten (10), and four (4) and nine (9) to the southwest corner of section four (4), township two (2) south, range five (5) east; thence northerly on the section line between sections four (4) and five (5) to the northwest corner of section four (4) in said township and range; thence easterly on the township line between townships one (1) and two (2) south, range five (5) east, to the southwest corner of section thirty-five (35), township one (1) south, range five (5) east; thence northerly on the section line between sections thirty-four (34), thirty-five (35), twenty-six (26), twenty-seven (27), twenty-two (22), and twenty-three (23) to the northwest corner of section twenty-three (23) of said township and range; thence easterly on the section line between sections fourteen (14) and twenty-three (23), thirteen (13) and twenty-four (24), to the northeast corner of section twenty-four (24) of said township and range; thence northerly along the range line between ranges five (5) and six (6) east to the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held

according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 17th day of June, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Township ten (10) south of ranges sixty-eight (68), sixty-nine (69), and seventy (70) west; township nine (9) south of ranges sixty-eight (68) and sixty-nine (69) west; township eight (8) south of range sixty-nine (69) west, and so much of township ten (10) south of range seventy-one (71) west, township nine (9) south of range seventy (70) west, township eight (8) south of range seventy (70) west, and township seven (7)

south of range sixty-nine (69) west as lie to the eastward of the South Platte River.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 23d day of June, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

To whom it may concern:

Whereas the governor of the State of Idaho has represented to me that within said State there exist an insurrection and condition of domestic violence and resistance to the laws to meet and overcome which the resources at his command are unequal; and

Whereas he has further represented that the legislature of said State is not now in session and can not be promptly convened; and

Whereas by reason of said conditions the said governor, as chief executive of the State, has called upon me, as Chief Executive of the Government of the United States, for assistance in repressing said violence and restoring and maintaining the peace:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of section 4, Article IV, of the Constitution of the United States and of the laws of Congress enacted in pursuance thereof, do hereby command all persons engaged in said insurrection and in resistance to the laws to immediately disperse and retire peaceably to their respective abodes.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of July, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a joint resolution approved June 29, 1892, it was resolved by the Senate and House of Representatives of the United States of America in Congress assembled—

That the President of the United States be authorized and directed to issue a proclamation recommending to the people the observance in all their localities of the four hundredth anniversary of the discovery of America, on the 21st of October, 1892, by public demonstrations and by suitable exercises in their schools and other places of assembly.

Now, therefore, I, Benjamin Harrison, President of the United States of America, in pursuance of the aforesaid joint resolution, do hereby appoint Friday, October 21, 1892, the four hundredth anniversary of the discovery of America by Columbus, as a general holiday for the people of the United States. On that day let the people, so far as possible, cease from toil and devote themselves to such exercises as may best express honor to the discoverer and their appreciation of the great achievements of the four completed centuries of American life.

Columbus stood in his age as the pioneer of progress and enlightenment. The system of universal education is in our age the most prominent and salutary feature of the spirit of enlightenment, and it is peculiarly appropriate that the schools be made by the people the center of the day's demonstration. Let the national flag float over every schoolhouse in the country and the exercises be such as shall impress upon our youth the patriotic duties of American citizenship.

In the churches and in the other places of assembly of the people let there be expressions of gratitude to Divine Providence for the devout faith of the discoverer and for the divine care and guidance which has directed our history and so abundantly blessed our people.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 21st day of July, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

By the President of the United States of America.

A PROCLAMATION.

Whereas by reason of unlawful obstructions, combinations, and assemblages of persons it has become impracticable, in my judgment, to enforce by the ordinary course of judicial proceedings the laws of the United States within the State and district of Wyoming, the United States marshal, after repeated efforts, being unable by his ordinary deputies or by any civil posse which he is able to obtain to execute the process of the United States courts:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States, do hereby command all persons engaged in such resistance to the laws and the process of the courts of the United States to cease such opposition and resistance and to disperse and retire peaceably to their respective abodes on or before Wednesday, the 3d day of August next.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of July, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

By the President of the United States of America.

A PROCLAMATION.

Whereas by an act of Congress approved July 26, 1892, entitled "An act to enforce reciprocal commercial relations between the United States and Canada, and for other purposes," it is provided—

That with a view of securing reciprocal advantages for the citizens, ports, and vessels of the United States, on and after the 1st day of August, 1892, whenever and so often as the President shall be satisfied that the passage through any canal or lock connected with the navigation of the St. Lawrence River, the Great Lakes, or the waterways connecting the same of any vessels of the United States, or of cargoes or passengers in transit to any port of the United States, is prohibited or is made difficult or burdensome by the imposition of tolls or otherwise which, in view of the free passage through the St. Marys Falls Canal now permitted to vessels of all nations, he shall deem to be reciprocally unjust and unreasonable, he shall have the power, and it shall be his duty, to suspend, by proclamation to that effect, for such time and to such extent (including absolute prohibition) as he shall deem just, the right of free passage through the St. Marys Falls Canal so far as it relates to vessels owned by the subjects of the government so discriminating against the citizens, ports, or vessels of the United States or to any cargoes, portions of cargoes or passengers in

transit to the ports of the government making such discrimination, whether carried in vessels of the United States or of other nations.

In such case and during such suspension tolls shall be levied, collected, and paid as follows, to wit: Upon freight of whatever kind or description not to exceed $2 per ton, upon passengers not to exceed $5 each, as shall be from time to time determined by the President: *Provided*, That no tolls shall be charged or collected upon freight or passengers carried to and landed at Ogdensburg, or any port west of Ogdensburg and south of a line drawn from the northern boundary of the State of New York through the St. Lawrence River, the Great Lakes, and their connecting channels to the northern boundary of the State of Minnesota.

SEC. 2. All tolls so charged shall be collected under such regulations as shall be prescribed by the Secretary of the Treasury, who may require the master of each vessel to furnish a sworn statement of the amount and kind of cargo and the number of passengers carried and the destination of the same, and such proof of the actual delivery of such cargo or passengers at some port or place within the limits above named as he shall deem satisfactory; and until such proof is furnished such freight and passengers may be considered to have been landed at some port or place outside of those limits, and the amount of tolls which would have accrued if they had been so delivered shall constitute a lien, which may be enforced against the vessel in default wherever and whenever found in the waters of the United States.

And whereas the government of the Dominion of Canada imposes a toll amounting to about 20 cents per ton on all freight passing through the Welland Canal in transit to a port of the United States, and also a further toll on all vessels of the United States and on all passengers in transit to a port of the United States, all of which tolls are without rebate; and

Whereas the government of the Dominion of Canada, in accordance with an order in council of April 4, 1892, refunds 18 cents per ton of the 20-cent toll at the Welland Canal on wheat, Indian corn, pease, barley, rye, oats, flaxseed, and buckwheat upon condition that they are originally shipped for and carried to Montreal or some port east of Montreal for export, and that if transshipped at an intermediate point such transshipment is made within the Dominion of Canada, but allows no such nor any other rebate on said products when shipped to a port of the United States or when carried to Montreal for export if transshipped within the United States; and

Whereas the government of the Dominion of Canada by said system of rebate and otherwise discriminates against the citizens of the United States in the use of said Welland Canal, in violation of the provisions of Article XXVII of the treaty of Washington concluded May 8, 1871; and

Whereas said Welland Canal is connected with the navigation of the Great Lakes, and I am satisfied that the passage through it of cargoes in transit to ports of the United States is made difficult and burdensome by said discriminating system of rebate and otherwise and is reciprocally unjust and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the power to that end conferred upon me by said act of Congress approved July 26, 1892, do hereby direct that from and

after September 1, 1892, until further notice a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations; and to that extent I do hereby suspend from and after said date the right of free passage through said St. Marys Falls Canal of any and all cargoes or portions of cargoes in transit to Canadian ports.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of August, A. D. 1892, and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a written agreement made on the 8th day of December, 1890, the Crow tribe of Indians, in the State of Montana, agreed to dispose of and sell to the United States, for certain considerations in said agreement specified, all that portion of the Crow Indian Reservation in the State of Montana lying west and south of the following lines, to wit:

Beginning in the mid-channel of the Yellowstone River at a point which is the northwest corner of section No. 36, township No. 2 north of range 27 east of the principal meridian of Montana; thence running in a southwesterly direction, following the top of the natural divide between the waters flowing into the Yellowstone and Clarks Fork rivers upon the west and those flowing into Pryor Creek and West Pryor Creek on the east, to the base of West Pryor Mountain; thence due south and up the north slope of said Pryor Mountain on a true meridian line to a point 15 miles due north from the established line between Montana and Wyoming; thence in a due easterly course on a parallel of latitude to a point where it intersects the mid-channel of the Big Horn River; thence following up the mid-channel of said river to a point where it crosses the Montana and Wyoming State line.

And whereas it is stipulated in the eleventh clause or section of said agreement that all lands upon that portion of the reservation by said agreement ceded which prior to the date thereof had been allotted in severalty to Indians of the Crow tribe shall be retained and enjoyed by them; and

Whereas it is provided in the twelfth clause or section of said agreement that, in accordance with the provisions of article 6 of the treaty of May 7, A. D. 1868, said cession of lands shall not be construed to deprive without his or her consent any individual Indian of the Crow tribe of his or her right to any tract of land selected by him or her in conformity with

said treaty or as provided by the agreement approved by Congress April 11, A. D. 1882; and

Whereas it is further provided in said twelfth clause or section that in ratifying said agreement the Congress of the United States shall cause all such lands to be surveyed and certificates duly issued for the same to said Indians, as provided in the treaty of May 7, 1868, before said ceded portion of the reservation shall be opened for settlement; and

Whereas by the thirteenth clause or section of said agreement of December 8, 1890, it is made a condition of said agreement that it shall not be binding upon either party until ratified by the Congress of the United States, and when so ratified that said cession of lands so acquired by the United States shall not be opened for settlement until the boundary lines set forth and described in said agreement have been surveyed and definitely marked by suitable permanent monuments, erected every half mile wherever practicable, along the entire length of said boundary line; and

Whereas said agreement was duly ratified and confirmed by the thirty-first section of the act of Congress approved March 3, 1891; and

Whereas it is provided in section 34 of said act of March 3, 1891—

That whenever any of the lands acquired by the agreement with said Crow Indians hereby ratified and confirmed shall by operation of law or the proclamation of the President of the United States be open to settlement, they shall, except mineral lands, be disposed of to actual settlers only under the provisions of the homestead laws, except section 2301 of the Revised Statutes, which shall not apply: *Provided, however*, That each settler under and in accordance with the provisions of said homestead laws shall before receiving a patent for his homestead pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of $1.50 for each acre thereof, one-half of which shall be paid within two years; and any person otherwise qualified who has attempted to but for any cause failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon any of said lands in conformity with the provisions of this section; that any person who may be entitled to the privilege of selecting land in severalty under the provisions of article 6 of the treaty of May 7, 1868, with the Crow Indians, and which provisions were continued in force by the agreement with said Indians ratified and confirmed by the act of Congress approved April 11, 1882, or any other act or treaty, shall have the right for a period of sixty days to make such selections in any part of the territory by said agreement ceded, and such locations are hereby confirmed: *Provided further*, That all white persons who located upon said Crow Reservation by reason of an erroneous survey of the boundary and were afterwards allowed to file upon their location in the United States land office shall have thirty days in which to renew their filings, and their locations are hereby confirmed; and that in all cases where claims were located under the mining laws of the United States, and such location was made prior to December 1, 1890, by a locator qualified therefor who believed that he or she was so locating on lands outside the Crow Indian Reservation, such locator shall be allowed thirty days within which to relocate the said mining claims so theretofore located by them within the limits of the ceded portion of said Crow Indian Reservation, and upon such relocation such proceedings shall be had as are conformable to law and in accordance with the provisions of this act.

And whereas the boundary lines of said ceded lands have been duly surveyed and marked as stipulated in the thirteenth clause or section of said agreement; and

Whereas a written agreement was concluded with said Crow Indians on the 27th day of August, 1892, under and by virtue of the following clause in the Indian appropriation act of Congress approved July 13, 1892, to wit:

* * * To enable the Secretary of the Interior, in his discretion, to appoint a commission to negotiate with the Crow Indians of Montana for a modification of the agreement concluded with said Indians December 8, 1890, and ratified by Congress March 3, 1891, and to pay the necessary and actual expenses of said commissioners: *Provided*, That no such modification shall be valid unless assented to by a majority of the male adult members of the Crow tribe of Indians and be approved by the Secretary of the Interior.

Which said agreement was assented to by a majority of the male adult members of the Crow tribe of Indians, as attested by their signatures thereto, and has been duly approved by the Secretary of the Interior; and

Whereas it is stipulated and agreed in the first clause or section of said agreement of August 27, 1892, that the persons named in a schedule attached to and made a part of said agreement, marked "Schedule A," include all the members of said Crow tribe who are entitled to the benefits of the eleventh section of said agreement of December 8, 1890, and that each of said persons is entitled to the land therein described as his selection in full satisfaction of his claim under said section; and that the persons named in a schedule attached to and made a part of said agreement of August 27, 1892, marked "Schedule B," include all the members of said tribe who are entitled to the benefits of the twelfth section of said agreement of December 8, 1890, and of the proviso of the thirty-fourth section of the act of Congress approved March 3, 1891, extending the privilege of making selections on the ceded lands for a period of sixty days, and that each of the said persons therein named is entitled to retain the tract of land theretofore selected by him within the limits of the tract of land therein described as containing his selection of his claim under the said section (or the said proviso); and

Whereas it is stipulated and agreed by the second clause or section of said agreement of August 27, 1892, that all lands ceded by said agreement may be opened to settlement, upon the approval of the said agreement, by proclamation of the President:

Provided, That all lands within the ceded tract selected or set apart for the use of individual Indians and described in the aforesaid Schedules "A" and "B" shall be exempt from cession and shall remain a part of the Crow Indian Reservation, and shall continue under the exclusive control of the Interior Department until they shall have been surveyed and certificates or patents issued therefor as provided in the agreement of December 8, 1890, or until relinquished or surrendered by the Indian or Indians claiming the same: *Provided further*, That such lands shall be described as set forth in Schedules "A" and "B," and shall be exempted from settlement in the proclamation of the President opening the ceded lands, and that where lands so set apart are not described by legal subdivisions then the township or section or tract

of land within whose limits such Indians' selections are located shall not be opened to settlement until the Indian allotments therein contained shall have been surveyed and proper evidence of title issued therefor.

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the agreements and statutes hereinbefore mentioned and by other the laws of the United States, do hereby declare and make known that all of the lands within that portion of the Crow Indian Reservation in Montana ceded to the United States by the said agreement of December 8, 1890, and hereinbefore described, except those hereinafter mentioned and described, are open to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in the thirty-fourth section of the act of Congress approved March 3, 1891, and hereinbefore quoted, and other laws applicable thereto.

The lands exempted from the operation of this proclamation, being those embraced in Schedules "A" and "B" attached to the agreement of August 27, 1892, are described as follows:

I.—SURVEYED LANDS.

IN TOWNSHIP 1 NORTH, RANGE 26 EAST.

Fractional section 24; the north half, the east half of southeast quarter, and west half of southwest quarter of fractional section 25; fractional section 26; lot 5 of fractional section 34; the north half of northeast quarter and the northeast quarter of northwest quarter of section 35; and the northeast quarter of northeast quarter of section 36.

IN TOWNSHIP 1 NORTH, RANGE 27 EAST.

Fractional section 7; lots 1, 2, 3, 4, 5, and 6, the southwest quarter of northeast quarter, the southeast quarter, and the south half of the southwest quarter of fractional section 8; the south half of northwest quarter of section 9; the north half of the northwest quarter and the southwest quarter of the northwest quarter of section 17; fractional section 18; the north half and the southwest quarter of section 19.

IN TOWNSHIP 3 SOUTH, RANGE 24 EAST.

The north half of the southwest quarter of section 3; the southeast quarter of the northeast quarter and lots 2, 3, and 4 of section 4; fractional section 5; the southeast quarter and the south half of the southwest quarter of section 6; section 7; west half of section 8; the east half of the northwest quarter and the southwest quarter of the northwest quarter of section 17; lots 1, 2, 3, 4, 5, and 6, the northeast quarter of the northeast quarter, the south half of the northeast quarter, and the southeast quarter of the northwest quarter and the south half of section 18; lots 1, 3, 4, and 5 and the east half of southwest quarter, section 19; and lots 1, 2, 3, and 4 in section 30.

IN TOWNSHIP 4 SOUTH, RANGE 23 EAST.

Lots 4, 5, 6, 7, 8, 9, and 13, the south half of northwest quarter, the southeast quarter of southeast quarter, and the northeast quarter of the southwest quarter, section 1; section 2; the north half, the southeast quarter, and the north half of southwest quarter, section 3; section 4; the east half and the southwest quarter of section 8; the north half and the southwest quarter of section 9; the east half and the southwest quarter of section 11; section 12; the north half, the south half of the southeast

quarter, the east half of the southwest quarter, and lots 1, 2, and 3 of section 13; the north half, the southeast quarter, and the south half of the southwest quarter of section 14; the north half of section 17; the north half, the east half of the southeast quarter, and the north half of the southwest quarter of section 18; the northwest quarter of section 19; the east half and the northwest quarter of section 20; the south half of the northwest quarter of section 22; all of section 23 except the northwest quarter of northwest quarter; section 24; lots 2 and 3 in section 25; the north half of northeast quarter, the northwest quarter, the north half of the southwest quarter, and lots 1, 2, 5, 6, 7, and 8 of section 26; the south half of the southeast quarter of section 27; the northwest quarter of section 33; the fractional east half and the southwest quarter of section 34; lots 2, 3, 4, 5, 6, 7, 9, and 10 of section 35.

IN TOWNSHIP 5 SOUTH OF RANGE 23 EAST.

Lot 5 and southwest quarter of northwest quarter of section 2; lots 1, 2, 6, 7, 8, 9, 12, and 14 and southeast quarter of southeast quarter of section 3; the fractional east half, the south half of northwest quarter, and the southwest quarter of section 4; the south half of the northeast quarter and the north half of the southeast quarter of section 7; the south half of the north half and the south half of section 8; lots 1, 2, 3, 4, 6, 7, and 8 and the west half of section 9; lots 1, 2, 3, and 4, the west half of the northeast quarter, and the south half of section 10; the northwest quarter of section 15; section 16; the east half of the northeast quarter and the south half of section 17; the northwest quarter of the northeast quarter, the southeast quarter of the southeast quarter, the west half, and lots 1, 2, 4, and 5, section 20; the southwest quarter of section 21; the west half of southwest quarter, section 26; the south half of section 27; the west half of the northeast quarter, the northwest quarter, and the south half of section 28; lots 1, 2, 3, 4, 6, and 7, the northwest quarter, the south half of the southeast quarter, and the west half of the southwest quarter of section 29; the northeast quarter of northeast quarter, the northeast quarter of the southeast quarter, and the south half of the southeast quarter of section 30; the northeast quarter, the northeast quarter of the northwest quarter, and the southeast quarter of section 31; lots 3, 4, 5, 6, 9, and 10, the southwest quarter of the southeast quarter, and the southwest quarter of section 32; lot 1, the north half of the northeast quarter, and the northwest quarter of section 33; and the west half of the northeast quarter and the northwest quarter of section 34.

2.—UNSURVEYED LANDS WHICH WHEN SURVEYED WILL BE DESCRIBED AS FOLLOWS:

IN TOWNSHIP 1 NORTH OF RANGE 15 EAST.

The southwest quarter of the northwest quarter, the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 27; the southeast quarter of the northeast quarter and the east half of the southeast quarter of section 28; the east half of the northeast quarter of section 33; the north half, the north half of the southeast quarter, and the northeast quarter of the southwest quarter of section 34; the south half of the north half and the south half of section 35; and the southwest quarter of the northwest quarter, the southeast quarter, the north half of the southwest quarter, and the southwest quarter of the southwest quarter of section 36.

IN TOWNSHIP 1 NORTH, RANGE 16 EAST.

The southwest quarter of the southwest quarter of section 31.

IN TOWNSHIP 1 SOUTH OF RANGE 15 EAST.

The north half of the north half and the southeast quarter of the northeast quarter of section 1.

OCCUPATION OF SANTIAGO HARBOR

BATTLE OF SANTIAGO HARBOR.

On May 19, 1898, a large Spanish squadron, under Cervera, entered Santiago, where it was blockaded by an American squadron under Admiral Schley on May 28. Admiral Sampson arrived to take charge of the American fleet on June 1. The Spanish vessels were protected by the heavy guns of the shore batteries in Santiago, and the American vessels hence could not go into the harbor to open hostilities; but when the American land forces threatened to capture Santiago from the hills surrounding the city, Cervera's fleet was compelled to come out, which it did on July 3. After a running fight of less than two hours, every Spanish vessel was destroyed, with a loss of 2,000 men killed or captured, while the American loss was only one man killed and one man wounded. (See articles Santiago, Battle of, and Santiago Harbor, Battle of, in the Encyclopedic Index.)

IN TOWNSHIP 1 SOUTH OF RANGE 16 EAST.

The north half of the northeast quarter and the southwest quarter of the northwest quarter of section 6, and the southeast quarter of the northeast quarter of section 24.

IN TOWNSHIP 1 SOUTH OF RANGE 18 EAST.

The southeast quarter of the southwest quarter of section 27; the northwest quarter of the southeast quarter and the south half of the southeast quarter of section 28; the north half of the northeast quarter of section 33; and the northeast quarter and the east half of the northwest quarter of section 34.

IN TOWNSHIP 1 SOUTH OF RANGE 17 EAST.

The east half of the northeast quarter, the east half of the northwest quarter, the southwest quarter of the northwest quarter, the northwest quarter of the southeast quarter, and the northeast quarter of the southwest quarter of section 19; the south half of the southeast quarter and the southeast quarter of the southwest quarter of section 28; and the north half of the northeast quarter and the northeast quarter of the northwest quarter of section 33.

IN TOWNSHIP 1 SOUTH OF RANGE 25 EAST.

The northeast quarter of the southeast quarter, the south half of the southeast quarter, and the southeast quarter of the southwest quarter of section 25, and the northeast quarter of the northwest quarter and the west half of section 36.

IN TOWNSHIP 1 SOUTH OF RANGE 26 EAST.

The south half of the southeast quarter of section 19; the southeast quarter, the northeast quarter of the southwest quarter, and the south half of the southwest quarter of section 20; the west half of the southwest quarter of section 21; the west half of the northwest quarter of section 28; the north half and the northwest quarter of the southwest quarter of section 29; the north half of the northeast quarter, the southeast quarter of the northeast quarter, the southwest quarter of the northwest quarter, the north half of the southeast quarter, and the southwest quarter of section 30.

IN TOWNSHIP 2 SOUTH OF RANGE 13 EAST.

The southwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of section 27; the southeast quarter of the northeast quarter and the east half of the southeast quarter of section 28; and the east half, the east half of the northwest quarter, the northeast quarter of the southeast quarter, and the northeast quarter of the southwest quarter of section 33.

IN TOWNSHIP 2 SOUTH OF RANGE 18 EAST.

The southeast quarter and the east half of the southwest quarter of section 1

IN TOWNSHIP 2 SOUTH OF RANGE 20 EAST.

The east half, the east half of the northwest quarter, the southwest quarter of the northwest quarter, and the north half of the southwest quarter of section 28; the northeast quarter and the north half of the southeast quarter of section 29; the south half of the northeast quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of section 34; the south half of the north half and the south half of section 35; and the southwest quarter of the northwest quarter, the northwest quarter of the southeast quarter, the south half of the southeast quarter, and the southwest quarter of section 36.

IN TOWNSHIP 2 SOUTH OF RANGE 21 EAST.

The west half of the northeast quarter, the northwest quarter of the southeast quarter, the east half of the west half, and the southwest quarter of the southwest quarter of section 32.

IN TOWNSHIP 2 SOUTH OF RANGE 24 EAST.

The northeast quarter of the southeast quarter and the south half of the southeast quarter of section 21; the northeast quarter, the north half of the southeast quarter, and the southwest quarter of section 22; the west half of the northwest quarter of section 27; the northeast quarter of section 28; and the northeast quarter, the southeast quarter of the northwest quarter, the north half of the southeast quarter, and the southwest quarter of section 29.

IN TOWNSHIP 3 SOUTH OF RANGE 18 EAST.

The west half of section 14; the west half of the northeast quarter and the east half of the northwest quarter of section 23; the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, the northwest quarter of the southeast quarter, and the northeast quarter of the southwest quarter of section 31; the northeast quarter, the south half of the northwest quarter, and the north half of the southwest quarter of section 32; the south half of the northeast quarter and the southeast quarter of section 33; the southwest quarter of the northeast quarter and the south half of the northwest quarter, the west half of the southeast quarter, and the southwest quarter of section 34; the south half of section 35; and the southeast quarter of the northeast quarter and the southeast quarter of section 36.

IN TOWNSHIP 3 SOUTH OF RANGE 19 EAST.

The northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, and the east half of the southwest quarter of section 12; the northwest quarter of section 29; the east half of the northeast quarter, the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, and the south half of section 30; and the southwest quarter of the northwest quarter and the west half of the southwest quarter of section 31.

IN TOWNSHIP 3 SOUTH OF RANGE 20 EAST.

The northeast quarter, the north half of the northwest quarter, the southeast quarter of the northwest quarter, and the northeast quarter of the southeast quarter of section 1; the north half of the northeast quarter and the northeast quarter of the northwest quarter of section 2; the north half of the northwest quarter, the southwest quarter of the northwest quarter, and the west half of the southwest quarter of section 5; the southeast quarter of the northeast quarter, the southeast quarter, and the southeast quarter of the southwest quarter of section 6; and the west half of the northeast quarter and the northwest quarter of section 7.

IN TOWNSHIP 3 SOUTH OF RANGE 21 EAST.

The northwest quarter of the southwest quarter and the south half of the southwest quarter of section 5; the east half of the southeast quarter and the west half of section 6; the northeast quarter of the northeast quarter of section 7; and the north half of the northwest quarter of section 8.

IN TOWNSHIP 3 SOUTH OF RANGE 23 EAST.

The southeast quarter of the northeast quarter and the east half of the southeast quarter of section 12; the east half of section 13; the southeast quarter of the southeast quarter of section 23; the southeast quarter of the northeast quarter, the east

half of the southeast quarter, and the southwest quarter of the southwest quarter of section 24; the east half of the east half, the west half of the northwest quarter, and the southwest quarter of section 25; the northeast quarter of the southeast quarter and the south half of the southeast quarter of section 26; the south half of the south half of section 34; the northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, and the south half of the southwest quarter of section 35; and the northwest quarter of section 36.

IN TOWNSHIP 4 SOUTH OF RANGE 18 EAST.

The northwest quarter of the northeast quarter and the north half of the northwest quarter of section 3; the north half of the northeast quarter of section 4; the southeast quarter of the southwest quarter of section 13; the west half of the northeast quarter, the east half of the northwest quarter, the southeast quarter, and the northeast quarter of the southwest quarter of section 24; the northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, and the southwest quarter of section 25; the south half of the southeast quarter of section 29; the northwest quarter of the northeast quarter and the northeast quarter of the northwest quarter of section 32; the northeast quarter of the northeast quarter, the northwest quarter, the northeast quarter of the southeast quarter, and the south half of the southeast quarter of section 35; and the west half of the northeast quarter, the northwest quarter, and the northwest quarter of the southwest quarter of section 36

IN TOWNSHIP 6 SOUTH OF RANGE 18 EAST.

The east half of the southeast quarter and the southwest quarter of the southeast quarter of section 20, and the west half of the northeast quarter, the northeast quarter of the northwest quarter, and the south half of the northwest quarter of section 29.

IN TOWNSHIP 6 SOUTH OF RANGE 19 EAST.

The northeast quarter, the east half of the northwest quarter, the southwest quarter of the northwest quarter, the north half of the southeast quarter, and the northwest quarter of the southwest quarter of section 15; the southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter of section 16; the south half of the northeast quarter and the north half of the southeast quarter of section 19; and the south half of the northwest quarter and the north half of the southwest quarter of section 20.

IN TOWNSHIP 6 SOUTH OF RANGE 23 EAST.

The north half of the northwest quarter and the north half of the southeast quarter of section 5; the south half of the southeast quarter of section 8; section 17; and the west half of the northwest quarter of section 16.

3.—TOWNSHIPS, SECTIONS, OR TRACTS OF LAND WITHIN WHICH INDIAN SELECTIONS ARE LOCATED.

TRACT 1.

Beginning at a point in the mid-channel of the Yellowstone River 1½ miles below the mouth of the Clarks Fork River; thence running in a southwesterly direction along a line parallel to and 1½ miles distant from the mid-channel of the Clarks Fork River to the south line of township 2 south of range 24 east; thence west along said township line to the mid-channel of the Clarks Fork River; thence northeast along the mid-channel of the Clarks Fork River to the mid-channel of the Yellowstone River; thence northeast along the mid-channel of said river to the point of beginning.

TRACT 2.

All that part of township 2 south of range 24 east lying south of the Yellowstone River and west of the Clarks Fork River.

TRACT 3.

Sections 29, 31, and 32, township 5 south of range 21 east; sections 5, 6, 7, 8, 17, and 18, township 6 south of range 21 east; and sections 1, 2, 11, 12, 13, and 14, township 6 south of range 20 east.

TRACT 4.

Beginning at a point in the mid-channel of the Yellowstone River opposite the mouth of Duck Creek; thence running in a southwesterly direction along the mid-channel of the Yellowstone River to a point 1½ miles below the mouth of the Clarks Fork River; thence in a southwesterly direction along a line parallel to and 1½ miles distant from the mid-channel of the said Clarks Fork River to a point 1½ miles due south of the mid-channel of the said Yellowstone River; thence running in a northeasterly direction along a line parallel to and 1½ miles distant from the mid-channel of the Yellowstone River to the mid-channel of Duck Creek; thence in a northerly direction along the mid-channel of Duck Creek to the point of beginning.

TRACT 5.

All that part of townships 2 and 3 south of range 23 lying south of the mid-channel of the Yellowstone River and north of a line running parallel thereto and 1½ miles distant therefrom.

TRACT 6.

Beginning in the mid-channel of the main or West Fork of Red Lodge Creek at the point where it intersects the line known as the line of the Blake survey, and which was formerly supposed to be the south boundary of the Crow Indian Reserve; thence running due east along the lines of said Blake survey for a distance of 1 mile; thence running northeasterly along a line parallel to and 1 mile from the mid-channel of the said West Fork of said Red Lodge Creek for a distance of 10 miles; thence due west to the mid-channel of the said West Fork of said Red Lodge Creek; thence southwesterly along the mid-channel of the said West Fork of said creek to the place of beginning.

TRACT 7.

Townships 4 south of ranges 21 and 22 east.

TRACT 8.

All that part of the east half of township 1 south of range 26 east lying south of the Yellowstone River, and all that part of the west half of township 1 south of range 27 east lying south of the Yellowstone River.

TRACT 9.

Section 14, township 3 south of range 19 east.

TRACT 10.

Beginning in the mid-channel of the main or West Fork of Red Lodge Creek at the point where it intersects the line known as the line of the Blake survey, and which was formerly supposed to be the south boundary of the Crow Indian Reserve; thence running due east along the line of said Blake survey for a distance of 1 mile; thence running northeasterly along a line parallel to and 1 mile from the mid-channel of the said West Fork of said Red Lodge Creek for a distance of 10 miles; thence due west to the mid-channel of the said West Fork of said Red Lodge Creek; thence southwesterly along the mid-channel of the said West Fork of said Red Lodge Creek to the place of beginning.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of October, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Italy the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the subjects of Italy:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, now exists and is fulfilled in respect to the subjects of Italy.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of October, 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The gifts of God to our people during the past year have been so abundant and so special that the spirit of devout thanksgiving awaits not a call, but only the appointment of a day when it may have a common

expression. He has stayed the pestilence at our door; He has given us more love for the free civil institutions in the creation of which His directing providence was so conspicuous; He has awakened a deeper reverence for law; He has widened our philanthropy by a call to succor the distress in other lands; He has blessed our schools and is bringing forward a patriotic and God-fearing generation to execute His great and benevolent designs for our country; He has given us great increase in material wealth and a wide diffusion of contentment and comfort in the homes of our people; He has given His grace to the sorrowing.

Wherefore, I, Benjamin Harrison, President of the United States, do call upon all our people to observe, as we have been wont, Thursday, the 24th day of this month of November, as a day of thanksgiving to God for His mercies and of supplication for His continued care and grace.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of November, 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

JANUARY 20, 1892.

Special Departmental Rule No. 1 is hereby amended by adding at the end of paragraph 10 the following: "and elevator conductors;" so that as amended the paragraph will read:

In all the Departments: Bookbinders and elevator conductors.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., January 12, 1892.

The PRESIDENT.

SIR: We have the honor to recommend that Executive orders heretofore issued designating the places to be filled by noncompetitive examination under clause (*d*) of section 2 of General Rule III be amended so as to include among those places, in all the Departments where authorized by law and employed, "captains of the watch" and "lieutenants of the watch." The captains and lieutenants of the watch in the Treasury Department and the captain of the watch in the Post-Office Department are

now included in this category, and the object of this recommendation is to place all the Departments on the same footing with respect to these places.

The occasion for the recommendation at this time is the receipt by this Commission of a request from the Secretary of the Interior for a noncompetitive examination of a person named by him for appointment as captain of the watch in the Interior Department.

The place is now subject to competitive examination, but the Commission sees no good reason why one rule should not apply to all the Departments; hence this recommendation.

If you approve the recommendation, your indorsement of approval on this letter and its return to the Commission is requested. As it is not a change of rule, it does not require to go to the Department of State for record.

We have the honor to be, your obedient servants,

CHAS. LYMAN,
HUGH S. THOMPSON,
Commissioners.

EXECUTIVE MANSION, *January 25, 1892.*

The within recommendation is approved.

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

FEBRUARY 23, 1892.

Indian Rule VI is hereby amended by inserting after the word "appointment" the following: "from one agency to another;" so that as amended the rule will read:

Subject to the conditions stated in Rule IV, transfers may be made after absolute appointment from one agency to another, from one school to another, and from one district to another, under such regulations as the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may prescribe.

Indian Rule IV, section 1, clause (*b*), is hereby amended by inserting after the word "averages" the following: "who have not been three times certified;" so that as amended the clause will read:

If fitness for the vacant place is tested by competitive examination, the Commission shall certify from the proper register of the district in which the vacancy exists the names of the three eligibles thereon, of the sex called for, having the highest averages, who have not been three times certified: *Provided*, That the eligibles upon any register who have been allowed preference under section 1754 of the Revised Statutes shall be certified, according to their grade, before all other eligibles thereon: *And provided further*, That if the vacancy is in the grade of matron or teacher, and the wife of the superintendent of the school in which the vacancy exists is an eligible, she may be given preference in certification if the appointing officer so requests.

Section 5 of the same rule is also hereby amended by inserting after the word "vacancy" the following: "in any agency or;" so that as amended the clause will read:

In case of the sudden occurrence of a vacancy in any agency or in any school during a school term which the public interest requires to be immediately filled the

Commissioner of Indian Affairs is authorized, in his discretion, to provide for the temporary filling of the same until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule, and when such regular appointment is made the temporary appointment shall terminate. All temporary appointments made under this authority and their termination shall at once be reported to the Commission.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., May 5, 1892.

In the exercise of the authority vested in the President by the seventeen hundred and fifty-third section of the Revised Statutes—

It is ordered, That the office of the United States Commission of Fish and Fisheries be, and the same is hereby, classified as a part of the classified departmental service and for the purpose of applying the civil-service rules thereto the officers, clerks, and other employees of said Commission are hereby arranged in the following classes, viz:

Class A.—All persons receiving an annual salary of less than $720, or a compensation at the rate of less than $720 per annum.

Class B.—All persons receiving an annual salary of $720 or more, or a compensation at the rate of $720 or more, but less than $840 per annum.

Class C.—All persons receiving an annual salary of $840 or more, or a compensation at the rate of $840 or more, but less than $900 per annum.

Class D.—All persons receiving an annual salary of $900 or more, or a compensation at the rate of $900 or more, but less than $1,000 per annum.

Class E.—All persons receiving an annual salary of $1,000 or more, or a compensation at the rate of $1,000 or more, but less than $1,200 per annum.

Class 1.—All persons receiving an annual salary of $1,200 or more, or a compensation at the rate of $1,200 or more, but less than $1,400 per annum.

Class 2.—All persons receiving an annual salary of $1,400 or more, or a compensation at the rate of $1,400 or more, but less than $1,600 per annum.

Class 3.—All persons receiving an annual salary of $1,600 or more, or a compensation at the rate of $1,600 or more, but less than $1,800 per annum.

Class 4.—All persons receiving an annual salary of $1,800 or more, or a compensation at the rate of $1,800 or more, but less than $2,000 per annum.

Class 5.—All persons receiving an annual salary of $2,000 or more, or a compensation at the rate of $2,000 per annum.

Provided, That no person who may be appointed to an office by and with the advice and consent of the Senate, and that no person who may be employed merely as a messenger, laborer, workman, or watchman,

shall be considered as within this classification, and no person so employed shall be assigned to the duties of a classified place.

Provided further, That no person shall be admitted to any place not excepted from examination by the civil-service rules in any of the classes above designated until he or she shall have passed an appropriate examination under the United States Civil Service Commission and his or her eligibility has been certified to by said Commission.

BENJ. HARRISON.

CIVIL SERVICE.—AMENDMENT OF EXECUTIVE ORDERS.

MAY 7, 1892.

Executive orders heretofore issued declaring the places subject to noncompetitive examination under clause (*d*) of section 2 of General Rule III are hereby amended so as to include among said places the following:

In the Commission of Fish and Fisheries: Fish culturists and machinists.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

MAY 7, 1892.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Commission of Fish and Fisheries: Ichthyologist and editor, one scientific assistant, captains, officers, ships writers and crews on vessels of the Commission, and pilots.

BENJ. HARRISON.

SEPTEMBER 16, 1892.

In order that the members of the Grand Army of the Republic employed in the public service in the city of Washington may have the opportunity of joining in the parade arranged for Tuesday, the 20th of September instant, and that all others may unite with the citizens of the District of Columbia in showing honor to the Union soldiers and sailors to be gathered in the national capital on that occasion—

It is hereby ordered, That the several Executive Departments and the Public Printing Office be closed on that day.

By the President:

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *September 23, 1892.*

Departmental Rule X, Customs Rule VII, Postal Rule VII, and Indian Rule VII are hereby amended by inserting in the proviso of each of said

rules, after the word "therefrom," the words "or the widow of any such person," and after the word "he" the words "or she;" so that as amended the proviso of each of said rules will read:

Provided, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service in the late War of the Rebellion and was honorably discharged therefrom, or the widow of any such person, without regard to the length of time he or she has been separated from the service.

BENJ. HARRISON.

FOURTH ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 6, 1892.*

To the Senate and House of Representatives:

In submitting my annual message to Congress I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial interests of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most favored period in the history of the country will, I believe, show that so high a degree of prosperity and so general a diffusion of the comforts of life were never before enjoyed by our people.

The total wealth of the country in 1860 was $16,159,616,068. In 1890 it amounted to $62,610,000,000, an increase of 287 per cent.

The total mileage of railways in the United States in 1860 was 30,626. In 1890 it was 167,741, an increase of 448 per cent; and it is estimated that there will be about 4,000 miles of track added by the close of the year 1892.

The official returns of the Eleventh Census and those of the Tenth Census for seventy-five leading cities furnish the basis for the following comparisons:

In 1880 the capital invested in manufacturing was $1,232,839,670.

In 1890 the capital invested in manufacturing was $2,900,735,884.

In 1880 the number of employees was 1,301,388.

In 1890 the number of employees was 2,251,134.

In 1880 the wages earned were $501,965,778.

In 1890 the wages earned were $1,221,170,454.

In 1880 the value of the product was $2,711,579,899.

In 1890 the value of the product was $4,860,286,837.

I am informed by the Superintendent of the Census that the omission of certain industries in 1880 which were included in 1890 accounts in part for the remarkable increase thus shown, but after making full allowance for differences of method and deducting the returns for all industries not included in the census of 1880 there remain in the reports from

these seventy-five cities an increase in the capital employed of $1,522,745,604, in the value of the product of $2,024,236,166, in wages earned of $677,943,929, and in the number of wage earners employed of 856,029. The wage earnings not only show an increased aggregate, but an increase per capita from $386 in 1880 to $547 in 1890, or 41.71 per cent.

The new industrial plants established since October 6, 1890, and up to October 22, 1892, as partially reported in the American Economist, number 345, and the extension of existing plants 108; the new capital invested amounts to $40,449,050, and the number of additional employees to 37,285.

The Textile World for July, 1892, states that during the first six months of the present calendar year 135 new factories were built, of which 40 are cotton mills, 48 knitting mills, 26 woolen mills, 15 silk mills, 4 plush mills, and 2 linen mills. Of the 40 cotton mills 21 have been built in the Southern States. Mr. A. B. Shepperson, of the New York Cotton Exchange, estimates the number of working spindles in the United States on September 1, 1892, at 15,200,000, an increase of 660,000 over the year 1891. The consumption of cotton by American mills in 1891 was 2,396,000 bales, and in 1892 2,584,000 bales, an increase of 188,000 bales. From the year 1869 to 1892, inclusive, there has been an increase in the consumption of cotton in Europe of 92 per cent, while during the same period the increased consumption in the United States has been about 150 per cent.

The report of Ira Ayer, special agent of the Treasury Department, shows that at the date of September 30, 1892, there were 32 companies manufacturing tin and terne plate in the United States and 14 companies building new works for such manufacture. The estimated investment in buildings and plants at the close of the fiscal year June 30, 1893, if existing conditions were to be continued, was $5,000,000 and the estimated rate of production 200,000,000 pounds per annum. The actual production for the quarter ending September 30, 1892, was 10,952,725 pounds.

The report of Labor Commissioner Peck, of New York, shows that during the year 1891, in about 6,000 manufacturing establishments in that State embraced within the special inquiry made by him, and representing 67 different industries, there was a net increase over the year 1890 of $31,315,130.68 in the value of the product and of $6,377,925.09 in the amount of wages paid. The report of the commissioner of labor for the State of Massachusetts shows that 3,745 industries in that State paid $129,416,248 in wages during the year 1891, against $126,030,303 in 1890, an increase of $3,335,945, and that there was an increase of $9,932,490 in the amount of capital and of 7,346 in the number of persons employed in the same period.

During the last six months of the year 1891 and the first six months of 1892 the total production of pig iron was 9,710,819 tons, as against

9,202,703 tons in the year 1890, which was the largest annual production ever attained. For the same twelve months of 1891–92 the production of Bessemer ingots was 3,878,581 tons, an increase of 189,710 gross tons over the previously unprecedented yearly production of 3,688,871 gross tons in 1890. The production of Bessemer steel rails for the first six months of 1892 was 772,436 gross tons, as against 702,080 gross tons during the last six months of the year 1891.

The total value of our foreign trade (exports and imports of merchandise) during the last fiscal year was $1,857,680,610, an increase of $128,283,604 over the previous fiscal year. The average annual value of our imports and exports of merchandise for the ten fiscal years prior to 1891 was $1,457,322,019. It will be observed that our foreign trade for 1892 exceeded this annual average value by $400,358,591, an increase of 27.47 per cent. The significance and value of this increase are shown by the fact that the excess in the trade of 1892 over 1891 was wholly in the value of exports, for there was a decrease in the value of imports of $17,513,754.

The value of our exports during the fiscal year 1892 reached the highest figure in the history of the Government, amounting to $1,030,278,148, exceeding by $145,797,338 the exports of 1891 and exceeding the value of the imports by $202,875,686. A comparison of the value of our exports for 1892 with the annual average for the ten years prior to 1891 shows an excess of $265,142,651, or of 34.65 per cent. The value of our imports of merchandise for 1892, which was $829,402,462, also exceeded the annual average value of the ten years prior to 1891 by $135,215,940. During the fiscal year 1892 the value of imports free of duty amounted to $457,999,658, the largest aggregate in the history of our commerce. The value of the imports of merchandise entered free of duty in 1892 was 55.35 per cent of the total value of imports, as compared with 43.35 per cent in 1891 and 33.66 per cent in 1890.

In our coastwise trade a most encouraging development is in progress, there having been in the last four years an increase of 16 per cent. In internal commerce the statistics show that no such period of prosperity has ever before existed. The freight carried in the coastwise trade of the Great Lakes in 1890 aggregated 28,295,959 tons. On the Mississippi, Missouri, and Ohio rivers and tributaries in the same year the traffic aggregated 29,405,046 tons, and the total vessel tonnage passing through the Detroit River during that year was 21,684,000 tons. The vessel tonnage entered and cleared in the foreign trade of London during 1890 amounted to 13,480,767 tons, and of Liverpool 10,941,800 tons, a total for these two great shipping ports of 24,422,568 tons, only slightly in excess of the vessel tonnage passing through the Detroit River. And it should be said that the season for the Detroit River was but 228 days, while of course in London and Liverpool the season was for the entire year. The vessel tonnage passing through the St. Marys Canal for the fiscal year

1892 amounted to 9,828,874 tons, and the freight tonnage of the Detroit River is estimated for that year at 25,000,000 tons, against 23,209,619 tons in 1891. The aggregate traffic on our railroads for the year 1891 amounted to 704,398,609 tons of freight, compared with 691,344,437 tons in 1890, an increase of 13,054,172 tons.

Another indication of the general prosperity of the country is found in the fact that the number of depositors in savings banks increased from 693,870 in 1860 to 4,258,893 in 1890, an increase of 513 per cent, and the amount of deposits from $149,277,504 in 1860 to $1,524,844,506 in 1890, an increase of 921 per cent. In 1891 the amount of deposits in savings banks was $1,623,079,749. It is estimated that 90 per cent of these deposits represent the savings of wage earners. The bank clearances for nine months ending September 30, 1891, amounted to $41,049,390,808. For the same months in 1892 they amounted to $45,189,601,947, an excess for the nine months of $4,140,211,139.

There never has been a time in our history when work was so abundant or when wages were as high, whether measured by the currency in which they are paid or by their power to supply the necessaries and comforts of life. It is true that the market prices of cotton and wheat have been low. It is one of the unfavorable incidents of agriculture that the farmer can not produce upon orders. He must sow and reap in ignorance of the aggregate production of the year, and is peculiarly subject to the depreciation which follows overproduction. But while the fact I have stated is true as to the crops mentioned, the general average of prices has been such as to give to agriculture a fair participation in the general prosperity. The value of our total farm products has increased from $1,363,646,866 in 1860 to $4,500,000,000 in 1891, as estimated by statisticians, an increase of 230 per cent. The number of hogs January 1, 1891, was 50,625,106 and their value $210,193,925; on January 1, 1892, the number was 52,398,019 and the value $241,031,415. On January 1, 1891, the number of cattle was 36,875,648 and the value $544,127,908; on January 1, 1892, the number was 37,651,239 and the value $570,749,155.

If any are discontented with their state here, if any believe that wages or prices, the returns for honest toil, are inadequate, they should not fail to remember that there is no other country in the world where the conditions that seem to them hard would not be accepted as highly prosperous. The English agriculturist would be glad to exchange the returns of his labor for those of the American farmer and the Manchester workmen their wages for those of their fellows at Fall River.

I believe that the protective system, which has now for something more than thirty years continuously prevailed in our legislation, has been a mighty instrument for the development of our national wealth and a most powerful agency in protecting the homes of our workingmen from the invasion of want. I have felt a most solicitous interest to preserve to our working people rates of wages that would not only give daily bread,

but supply a comfortable margin for those home attractions and family comforts and enjoyments without which life is neither hopeful nor sweet. They are American citizens—a part of the great people for whom our Constitution and Government were framed and instituted—and it can not be a perversion of that Constitution to so legislate as to preserve in their homes the comfort, independence, loyalty, and sense of interest in the Government which are essential to good citizenship in peace, and which will bring this stalwart throng, as in 1861, to the defense of the flag when it is assailed.

It is not my purpose to renew here the argument in favor of a protective tariff. The result of the recent election must be accepted as having introduced a new policy. We must assume that the present tariff, constructed upon the lines of protection, is to be repealed and that there is to be substituted for it a tariff law constructed solely with reference to revenue; that no duty is to be higher because the increase will keep open an American mill or keep up the wages of an American workman, but that in every case such a rate of duty is to be imposed as will bring to the Treasury of the United States the largest returns of revenue. The contention has not been between schedules, but between principles, and it would be offensive to suggest that the prevailing party will not carry into legislation the principles advocated by it and the pledges given to the people. The tariff bills passed by the House of Representatives at the last session were, as I suppose, even in the opinion of their promoters, inadequate, and justified only by the fact that the Senate and House of Representatives were not in accord and that a general revision could not therefore be undertaken.

I recommend that the whole subject of tariff revision be left to the incoming Congress. It is matter of regret that this work must be delayed for at least three months, for the threat of great tariff changes introduces so much uncertainty that an amount, not easily estimated, of business inaction and of diminished production will necessarily result. It is possible also that this uncertainty may result in decreased revenues from customs duties, for our merchants will make cautious orders for foreign goods in view of the prospect of tariff reductions and the uncertainty as to when they will take effect. Those who have advocated a protective tariff can well afford to have their disastrous forecasts of a change of policy disappointed. If a system of customs duties can be framed that will set the idle wheels and looms of Europe in motion and crowd our warehouses with foreign-made goods and at the same time keep our own mills busy; that will give us an increased participation in the "markets of the world" of greater value than the home market we surrender; that will give increased work to foreign workmen upon products to be consumed by our people without diminishing the amount of work to be done here; that will enable the American manufacturer to pay to his workmen from 50 to 100 per cent more in wages than is paid

in the foreign mill, and yet to compete in our market and in foreign markets with the foreign producer; that will further reduce the cost of articles of wear and food without reducing the wages of those who produce them; that can be celebrated, after its effects have been realized, as its expectation has been in European as well as in American cities, the authors and promoters of it will be entitled to the highest praise. We have had in our history several experiences of the contrasted effects of a revenue and of a protective tariff, but this generation has not felt them, and the experience of one generation is not highly instructive to the next. The friends of the protective system with undiminished confidence in the principles they have advocated will await the results of the new experiment.

The strained and too often disturbed relations existing between the employees and the employers in our great manufacturing establishments have not been favorable to a calm consideration by the wage earner of the effect upon wages of the protective system. The facts that his wages were the highest paid in like callings in the world and that a maintenance of this rate of wages in the absence of protective duties upon the product of his labor was impossible were obscured by the passion evoked by these contests. He may now be able to review the question in the light of his personal experience under the operation of a tariff for revenue only. If that experience shall demonstrate that present rates of wages are thereby maintained or increased, either absolutely or in their purchasing power, and that the aggregate volume of work to be done in this country is increased or even maintained, so that there are more or as many days' work in a year, at as good or better wages, for the American workmen as has been the case under the protective system, everyone will rejoice. A general process of wage reduction can not be contemplated by any patriotic citizen without the gravest apprehension. It may be, indeed I believe is, possible for the American manufacturer to compete successfully with his foreign rival in many branches of production without the defense of protective duties if the pay rolls are equalized; but the conflict that stands between the producer and that result and the distress of our working people when it is attained are not pleasant to contemplate. The Society of the Unemployed, now holding its frequent and threatening parades in the streets of foreign cities, should not be allowed to acquire an American domicile.

The reports of the heads of the several Executive Departments, which are herewith submitted, have very naturally included a résumé of the whole work of the Administration with the transactions of the last fiscal year. The attention not only of Congress but of the country is again invited to the methods of administration which have been pursued and to the results which have been attained. Public revenues amounting to $1,414,079,292.28 have been collected and disbursed without loss from misappropriation, without a single defalcation of such importance as to

attract the public attention, and at a diminished per cent of cost for collection. The public business has been transacted not only with fidelity, but progressively and with a view to giving to the people in the fullest possible degree the benefits of a service established and maintained for their protection and comfort.

Our relations with other nations are now undisturbed by any serious controversy. The complicated and threatening differences with Germany and England relating to Samoan affairs, with England in relation to the seal fisheries in the Bering Sea, and with Chile growing out of the *Baltimore* affair have been adjusted.

There have been negotiated and concluded, under section 3 of the tariff law, commercial agreements relating to reciprocal trade with the following countries: Brazil, Dominican Republic, Spain for Cuba and Puerto Rico, Guatemala, Salvador, the German Empire, Great Britain for certain West Indian colonies and British Guiana, Nicaragua, Honduras, and Austria-Hungary.*

Of these, those with Guatemala, Salvador, the German Empire, Great Britain, Nicaragua, Honduras, and Austria-Hungary have been concluded since my last annual message. Under these trade arrangements a free or favored admission has been secured in every case for an important list of American products. Especial care has been taken to secure markets for farm products, in order to relieve that great underlying industry of the depression which the lack of an adequate foreign market for our surplus often brings. An opening has also been made for manufactured products that will undoubtedly, if this policy is maintained, greatly augment our export trade. The full benefits of these arrangements can not be realized instantly. New lines of trade are to be opened. The commercial traveler must survey the field. The manufacturer must adapt his goods to the new markets and facilities for exchange must be established. This work has been well begun, our merchants and manufacturers having entered the new fields with courage and enterprise. In the case of food products, and especially with Cuba, the trade did not need to wait, and the immediate results have been most gratifying. If this policy and these trade arrangements can be continued in force and aided by the establishment of American steamship lines, I do not doubt that we shall within a short period secure fully one-third of the total trade of the countries of Central and South America, which now amounts to about $600,000,000 annually. In 1885 we had only 8 per cent of this trade.

The following statistics show the increase in our trade with the countries with which we have reciprocal trade agreements from the date when such agreements went into effect up to September 30, 1892, the increase being in some almost wholly and in others in an important degree the result of these agreements:

The domestic exports to Germany and Austria-Hungary have in-

* See pp. 5576–5577, 5587–5590, 5583–5587, 5716–5718, 5684–5686, 5693–5695, 5688–5693, 5698–5700, 5714–5716, 5718–5719.

creased in value from $47,673,756 to $57,993,064, an increase of $10,319,308, or 21.63 per cent. With American countries the value of our exports has increased from $44,160,285 to $54,613,598, an increase of $10,453,313, or 23.67 per cent. The total increase in the value of exports to all the countries with which we have reciprocity agreements has been $20,772,621. This increase is chiefly in wheat, flour, meat, and dairy products and in manufactures of iron and steel and lumber. There has been a large increase in the value of imports from all these countries since the commercial agreements went into effect, amounting to $74,294,525, but it has been entirely in imports from the American countries, consisting mostly of sugar, coffee, india rubber, and crude drugs. The alarmed attention of our European competitors for the South American market has been attracted to this new American policy and to our acquisition and their loss of South American trade.

A treaty providing for the arbitration of the dispute between Great Britain and the United States as to the killing of seals in the Bering Sea was concluded on the 29th of February last. This treaty was accompanied by an agreement prohibiting pelagic sealing pending the arbitration, and a vigorous effort was made during this season to drive out all poaching sealers from the Bering Sea. Six naval vessels, three revenue cutters, and one vessel from the Fish Commission, all under the command of Commander Evans, of the Navy, were sent into the sea, which was systematically patrolled. Some seizures were made, and it is believed that the catch in the Bering Sea by poachers amounted to less than 500 seals. It is true, however, that in the North Pacific, while the seal herds were on their way to the passes between the Aleutian Islands, a very large number, probably 35,000, were taken. The existing statutes of the United States do not restrain our citizens from taking seals in the Pacific Ocean, and perhaps should not unless the prohibition can be extended to the citizens of other nations. I recommend that power be given to the President by proclamation to prohibit the taking of seals in the North Pacific by American vessels in case, either as the result of the findings of the Tribunal of Arbitration or otherwise, the restraints can be applied to the vessels of all countries. The case of the United States for the Tribunal of Arbitration has been prepared with great care and industry by the Hon. John W. Foster, and the counsel who represent this Government express confidence that a result substantially establishing our claims and preserving this great industry for the benefit of all nations will be attained.

During the past year a suggestion was received through the British minister that the Canadian government would like to confer as to the possibility of enlarging upon terms of mutual advantage the commercial exchanges of Canada and of the United States, and a conference was held at Washington, with Mr. Blaine acting for this Government and the British minister at this capital and three members of the Dominion cabinet acting as commissioners on the part of Great Britain. The

conference developed the fact that the Canadian government was only prepared to offer to the United States in exchange for the concessions asked the admission of natural products. The statement was frankly made that favored rates could not be given to the United States as against the mother country. This admission, which was foreseen, necessarily terminated the conference upon this question. The benefits of an exchange of natural products would be almost wholly with the people of Canada. Some other topics of interest were considered in the conference, and have resulted in the making of a convention for examining the Alaskan boundary and the waters of Passamaquoddy Bay adjacent to Eastport, Me., and in the initiation of an arrangement for the protection of fish life in the coterminous and neighboring waters of our northern border.

The controversy as to tolls upon the Welland Canal, which was presented to Congress at the last session by special message,* having failed of adjustment, I felt constrained to exercise the authority conferred by the act of July 26, 1892, and to proclaim a suspension of the free use of St. Marys Falls Canal to cargoes in transit to ports in Canada.† The Secretary of the Treasury established such tolls as were thought to be equivalent to the exactions unjustly levied upon our commerce in the Canadian canals.

If, as we must suppose, the political relations of Canada and the disposition of the Canadian government are to remain unchanged, a somewhat radical revision of our trade relations should, I think, be made. Our relations must continue to be intimate, and they should be friendly. I regret to say, however, that in many of the controversies, notably those as to the fisheries on the Atlantic, the sealing interests on the Pacific, and the canal tolls, our negotiations with Great Britain have continuously been thwarted or retarded by unreasonable and unfriendly objections and protests from Canada. In the matter of the canal tolls our treaty rights were flagrantly disregarded. It is hardly too much to say that the Canadian Pacific and other railway lines which parallel our northern boundary are sustained by commerce having either its origin or terminus, or both, in the United States. Canadian railroads compete with those of the United States for our traffic, and without the restraints of our interstate-commerce act. Their cars pass almost without detention into and out of our territory.

The Canadian Pacific Railway brought into the United States from China and Japan via British Columbia during the year ended June 30, 1892, 23,239,689 pounds of freight, and it carried from the United States, to be shipped to China and Japan via British Columbia, 24,068,346 pounds of freight. There were also shipped from the United States over this road from Eastern ports of the United States to our Pacific ports during the same year 13,912,073 pounds of freight, and there were received over this road at the United States Eastern ports from ports on the Pacific

*See pp. 5675–5677. †See pp. 5725–5727.

Coast 13,293,315 pounds of freight. Mr. Joseph Nimmo, jr., former chief of the Bureau of Statistics, when before the Senate Select Committee on Relations with Canada, April 26, 1890, said that "the value of goods thus transported between different points in the United States across Canadian territory probably amounts to $100,000,000 a year."

There is no disposition on the part of the people or Government of the United States to interfere in the smallest degree with the political relations of Canada. That question is wholly with her own people. It is time for us, however, to consider whether, if the present state of things and trend of things is to continue, our interchanges upon lines of land transportation should not be put upon a different basis and our entire independence of Canadian canals and of the St. Lawrence as an outlet to the sea secured by the construction of an American canal around the Falls of Niagara and the opening of ship communication between the Great Lakes and one of our own seaports. We should not hesitate to avail ourselves of our great natural trade advantages. We should withdraw the support which is given to the railroads and steamship lines of Canada by a traffic that properly belongs to us and no longer furnish the earnings which lighten the otherwise crushing weight of the enormous public subsidies that have been given to them. The subject of the power of the Treasury to deal with this matter without further legislation has been under consideration, but circumstances have postponed a conclusion. It is probable that a consideration of the propriety of a modification or abrogation of the article of the treaty of Washington relating to the transit of goods in bond is involved in any complete solution of the question.

Congress at the last session was kept advised of the progress of the serious and for a time threatening difference between the United States and Chile. It gives me now great gratification to report that the Chilean Government in a most friendly and honorable spirit has tendered and paid as an indemnity to the families of the sailors of the *Baltimore* who were killed and to those who were injured in the outbreak in the city of Valparaiso the sum of $75,000. This has been accepted not only as an indemnity for a wrong done, but as a most gratifying evidence that the Government of Chile rightly appreciates the disposition of this Government to act in a spirit of the most absolute fairness and friendliness in our intercourse with that brave people. A further and conclusive evidence of the mutual respect and confidence now existing is furnished by the fact that a convention submitting to arbitration the mutual claims of the citizens of the respective Governments has been agreed upon. Some of these claims have been pending for many years and have been the occasion of much unsatisfactory diplomatic correspondence.

I have endeavored in every way to assure our sister Republics of Central and South America that the United States Government and its people have only the most friendly disposition toward them all. We do not covet their territory. We have no disposition to be oppressive or exacting in

our dealings with any of them, even the weakest. Our interests and our hopes for them all lie in the direction of stable governments by their people and of the largest development of their great commercial resources. The mutual benefits of enlarged commercial exchanges and of a more familiar and friendly intercourse between our peoples we do desire, and in this have sought their friendly cooperation.

I have believed, however, while holding these sentiments in the greatest sincerity, that we must insist upon a just responsibility for any injuries inflicted upon our official representatives or upon our citizens. This insistence, kindly and justly but firmly made, will, I believe, promote peace and mutual respect.

Our relations with Hawaii have been such as to attract an increased interest, and must continue to do so. I deem it of great importance that the projected submarine cable, a survey for which has been made, should be promoted. Both for naval and commercial uses we should have quick communication with Honolulu. We should before this have availed ourselves of the concession made many years ago to this Government for a harbor and naval station at Pearl River. Many evidences of the friendliness of the Hawaiian Government have been given in the past, and it is gratifying to believe that the advantage and necessity of a continuance of very close relations is appreciated.

The friendly act of this Government in expressing to the Government of Italy its reprobation and abhorrence of the lynching of Italian subjects in New Orleans by the payment of 125,000 francs, or $24,330.90, was accepted by the King of Italy with every manifestation of gracious appreciation, and the incident has been highly promotive of mutual respect and good will.

In consequence of the action of the French Government in proclaiming a protectorate over certain tribal districts of the west coast of Africa eastward of the San Pedro River, which has long been regarded as the southeastern boundary of Liberia, I have felt constrained to make protest against this encroachment upon the territory of a Republic which was founded by citizens of the United States and toward which this country has for many years held the intimate relation of a friendly counselor.

The recent disturbances of the public peace by lawless foreign marauders on the Mexican frontier have afforded this Government an opportunity to testify its good will for Mexico and its earnest purpose to fulfill the obligations of international friendship by pursuing and dispersing the evil doers. The work of relocating the boundary of the treaty of Guadalupe Hidalgo westward from El Paso is progressing favorably.

Our intercourse with Spain continues on a friendly footing. I regret, however, not to be able to report as yet the adjustment of the claims of the American missionaries arising from the disorders at Ponape, in the Caroline Islands, but I anticipate a satisfactory adjustment in view of renewed and urgent representations to the Government at Madrid.

The treatment of the religious and educational establishments of American citizens in Turkey has of late called for a more than usual share of attention. A tendency to curtail the toleration which has so beneficially prevailed is discernible and has called forth the earnest remonstrance of this Government. Harassing regulations in regard to schools and churches have been attempted in certain localities, but not without due protest and the assertion of the inherent and conventional rights of our countrymen. Violations of domicile and search of the persons and effects of citizens of the United States by apparently irresponsible officials in the Asiatic *vilayets* have from time to time been reported. An aggravated instance of injury to the property of an American missionary at Bourdour, in the Province of Konia, called forth an urgent claim for reparation, which I am pleased to say was promptly heeded by the Government of the Porte. Interference with the trading ventures of our citizens in Asia Minor is also reported, and the lack of consular representation in that region is a serious drawback to instant and effective protection. I can not believe that these incidents represent a settled policy, and shall not cease to urge the adoption of proper remedies.

International copyright has been extended to Italy by proclamation* in conformity with the act of March 3, 1891, upon assurance being given that Italian law permits to citizens of the United States the benefit of copyright on substantially the same basis as to subjects of Italy. By a special convention proclaimed January 15, 1892, reciprocal provisions of copyright have been applied between the United States and Germany. Negotiations are in progress with other countries to the same end.

I repeat with great earnestness the recommendation which I have made in several previous messages that prompt and adequate support be given to the American company engaged in the construction of the Nicaragua ship canal. It is impossible to overstate the value from every standpoint of this great enterprise, and I hope that there may be time, even in this Congress, to give to it an impetus that will insure the early completion of the canal and secure to the United States its proper relation to it when completed.

The Congress has been already advised that the invitations of this Government for the assembling of an international monetary conference to consider the question of an enlarged use of silver were accepted by the nations to which they were addressed. The conference assembled at Brussels on the 22d of November, and has entered upon the consideration of this great question. I have not doubted, and have taken occasion to express that belief as well in the invitations issued for this conference as in my public messages, that the free coinage of silver upon an agreed international ratio would greatly promote the interests of our people and equally those of other nations. It is too early to predict what results may be accomplished by the conference. If any temporary check or delay

*See p. 5736.

intervenes, I believe that very soon commercial conditions will compel the now reluctant governments to unite with us in this movement to secure the enlargement of the volume of coined money needed for the transaction of the business of the world.

The report of the Secretary of the Treasury will attract especial interest in view of the many misleading statements that have been made as to the state of the public revenues. Three preliminary facts should not only be stated but emphasized before looking into details: First, that the public debt has been reduced since March 4, 1889, $259,074,200, and the annual interest charge $11,684,469; second, that there have been paid out for pensions during this Administration up to November 1, 1892, $432,564,178.70, an excess of $114,466,386.09 over the sum expended during the period from March 1, 1885, to March 1, 1889; and, third, that under the existing tariff up to December 1 about $93,000,000 of revenue which would have been collected upon imported sugars if the duty had been maintained has gone into the pockets of the people, and not into the public Treasury, as before. If there are any who still think that the surplus should have been kept out of circulation by hoarding it in the Treasury, or deposited in favored banks without interest while the Government continued to pay to these very banks interest upon the bonds deposited as security for the deposits, or who think that the extended pension legislation was a public robbery, or that the duties upon sugar should have been maintained, I am content to leave the argument where it now rests while we wait to see whether these criticisms will take the form of legislation.

The revenues for the fiscal year ending June 30, 1892, from all sources were $425,868,260.22, and the expenditures for all purposes were $415,953,806.56, leaving a balance of $9,914,453.66. There were paid during the year upon the public debt $40,570,467.98. The surplus in the Treasury and the bank redemption fund passed by the act of July 14, 1890, to the general fund furnished in large part the cash available and used for the payments made upon the public debt. Compared with the year 1891, our receipts from customs duties fell off $42,069,241.08, while our receipts from internal revenue increased $8,284,823.13, leaving the net loss of revenue from these principal sources $33,784,417.95. The net loss of revenue from all sources was $32,675,972.81.

The revenues, estimated and actual, for the fiscal year ending June 30, 1893, are placed by the Secretary at $463,336,350.44, and the expenditures at $461,336,350.44, showing a surplus of receipts over expenditures of $2,000,000. The cash balance in the Treasury at the end of the fiscal year it is estimated will be $20,992,377.03. So far as these figures are based upon estimates of receipts and expenditures for the remaining months of the current fiscal year, there are not only the usual elements of uncertainty, but some added elements. New revenue legislation, or even the expectation of it, may seriously reduce the public revenues

during the period of uncertainty and during the process of business adjustment to the new conditions when they become known. But the Secretary has very wisely refrained from guessing as to the effect of possible changes in our revenue laws, since the scope of those changes and the time of their taking effect can not in any degree be forecast or foretold by him. His estimates must be based upon existing laws and upon a continuance of existing business conditions, except so far as these conditions may be affected by causes other than new legislation.

The estimated receipts for the fiscal year ending June 30, 1894, are $490,121,365.38, and the estimated appropriations $457,261,335.33, leaving an estimated surplus of receipts over expenditures of $32,860,030.05. This does not include any payment to the sinking fund. In the recommendation of the Secretary that the sinking-fund law be repealed I concur. The redemption of bonds since the passage of the law to June 30, 1892, has already exceeded the requirements by the sum of $990,510,681.49. The retirement of bonds in the future before maturity should be a matter of convenience, not of compulsion. We should not collect revenue for that purpose, but only use any casual surplus. To the balance of $32,860,030.05 of receipts over expenditures for the year 1894 should be added the estimated surplus at the beginning of the year, $20,992,377.03, and from this aggregate there must be deducted, as stated by the Secretary, about $44,000,000 of estimated unexpended appropriations.

The public confidence in the purpose and ability of the Government to maintain the parity of all of our money issues, whether coin or paper, must remain unshaken. The demand for gold in Europe and the consequent calls upon us are in a considerable degree the result of the efforts of some of the European Governments to increase their gold reserves, and these efforts should be met by appropriate legislation on our part. The conditions that have created this drain of the Treasury gold are in an important degree political, and not commercial. In view of the fact that a general revision of our revenue laws in the near future seems to be probable, it would be better that any changes should be a part of that revision rather than of a temporary nature.

During the last fiscal year the Secretary purchased under the act of July 14, 1890, 54,355,748 ounces of silver and issued in payment therefor $51,106,608 in notes. The total purchases since the passage of the act have been 120,479,981 ounces and the aggregate of notes issued $116,783,590. The average price paid for silver during the year was 94 cents per ounce, the highest price being $1.02¾ July 1, 1891, and the lowest 83 cents March 21, 1892. In view of the fact that the monetary conference is now sitting and that no conclusion has yet been reached, I withhold any recommendation as to legislation upon this subject.

The report of the Secretary of War brings again to the attention of Congress some important suggestions as to the reorganization of the

infantry and artillery arms of the service, which his predecessors have before urgently presented. Our Army is small, but its organization should all the more be put upon the most approved modern basis. The conditions upon what we have called the "frontier" have heretofore required the maintenance of many small posts, but now the policy of concentration is obviously the right one. The new posts should have the proper strategic relations to the only "frontiers" we now have—those of the seacoast and of our northern and part of our southern boundary. I do not think that any question of advantage to localities or to States should determine the location of the new posts. The reorganization and enlargement of the Bureau of Military Information which the Secretary has effected is a work the usefulness of which will become every year more apparent. The work of building heavy guns and the construction of coast defenses has been well begun and should be carried on without check.

The report of the Attorney-General is by law submitted directly to Congress, but I can not refrain from saying that he has conducted the increasing work of the Department of Justice with great professional skill. He has in several directions secured from the courts decisions giving increased protection to the officers of the United States and bringing some classes of crime that escaped local cognizance and punishment into the tribunals of the United States, where they could be tried with impartiality.

The numerous applications for Executive clemency presented in behalf of persons convicted in United States courts and given penitentiary sentences have called my attention to a fact referred to by the Attorney-General in his report, namely, that a time allowance for good behavior for such prisoners is prescribed by the Federal statutes only where the State in which the penitentiary is located has made no such provision. Prisoners are given the benefit of the provisions of the State law regulating the penitentiary to which they may be sent. These are various, some perhaps too liberal and some perhaps too illiberal. The result is that a sentence for five years means one thing if the prisoner is sent to one State for confinement and quite a different thing if he is sent to another. I recommend that a uniform credit for good behavior be prescribed by Congress.

I have before expressed my concurrence in the recommendation of the Attorney-General that degrees of murder should be recognized in the Federal statutes, as they are, I believe, in all the States. These grades are founded on correct distinctions in crime. The recognition of them would enable the courts to exercise some discretion in apportioning punishment and would greatly relieve the Executive of what is coming to be a very heavy burden—the examination of these cases on application for commutation.

The aggregate of claims pending against the Government in the Court

of Claims is enormous. Claims to the amount of nearly $400,000,000 for the taking of or injury to the property of persons claiming to be loyal during the war are now before that court for examination. When to these are added the Indian depredation claims and the French spoliation claims, an aggregate is reached that is indeed startling. In the defense of all these cases the Government is at great disadvantage. The claimants have preserved their evidence, whereas the agents of the Government are sent into the field to rummage for what they can find. This difficulty is peculiarly great where the fact to be established is the disloyalty of the claimant during the war. If this great threat against our revenues is to have no other check, certainly Congress should supply the Department of Justice with appropriations sufficiently liberal to secure the best legal talent in the defense of these claims and to pursue its vague search for evidence effectively.

The report of the Postmaster-General shows a most gratifying increase and a most efficient and progressive management of the great business of that Department. The remarkable increase in revenues, in the number of post-offices, and in the miles of mail carriage furnishes further evidence of the high state of prosperity which our people are enjoying. New offices mean new hamlets and towns, new routes mean the extension of our border settlements, and increased revenues mean an active commerce. The Postmaster-General reviews the whole period of his administration of the office and brings some of his statistics down to the month of November last. The postal revenues have increased during the last year nearly $5,000,000. The deficit for the year ending June 30, 1892, is $848,341 less than the deficiency of the preceding year. The deficiency of the present fiscal year it is estimated will be reduced to $1,552,423, which will not only be extinguished during the next fiscal year, but a surplus of nearly $1,000,000 should then be shown. In these calculations the payments to be made under the contracts for ocean mail service have not been included. There have been added 1,590 new mail routes during the year, with a mileage of 8,563 miles, and the total number of new miles of mail trips added during the year is nearly 17,000,000. The number of miles of mail journeys added during the last four years is about 76,000,000, this addition being 21,000,000 miles more than were in operation in the whole country in 1861.

The number of post-offices has been increased by 2,790 during the year, and during the past four years, and up to October 29 last, the total increase in the number of offices has been nearly 9,000. The number of free-delivery offices has been nearly doubled in the last four years, and the number of money-order offices more than doubled within that time.

For the three years ending June 30, 1892, the postal revenue amounted to $197,744,359, which was an increase of $52,263,150 over the revenue for the three years ending June 30, 1888, the increase during the last three years being more than three and a half times as great as the increase

during the three years ending June 30, 1888. No such increase as that shown for these three years has ever previously appeared in the revenues of the Department. The Postmaster-General has extended to the post-offices in the larger cities the merit system of promotion introduced by my direction into the Departments here, and it has resulted there, as in the Departments, in a larger volume of work and that better done.

Ever since our merchant marine was driven from the sea by the rebel cruisers during the War of the Rebellion the United States has been paying an enormous annual tribute to foreign countries in the shape of freight and passage moneys. Our grain and meats have been taken at our own docks and our large imports there laid down by foreign shipmasters. An increasing torrent of American travel to Europe has contributed a vast sum annually to the dividends of foreign shipowners. The balance of trade shown by the books of our custom-houses has been very largely reduced and in many years altogether extinguished by this constant drain. In the year 1892 only 12.3 per cent of our imports were brought in American vessels. These great foreign steamships maintained by our traffic are many of them under contracts with their respective Governments by which in time of war they will become a part of their armed naval establishments. Profiting by our commerce in peace, they will become the most formidable destroyers of our commerce in time of war. I have felt, and have before expressed the feeling, that this condition of things was both intolerable and disgraceful. A wholesome change of policy, and one having in it much promise, as it seems to me, was begun by the law of March 3, 1891. Under this law contracts have been made by the Postmaster-General for eleven mail routes. The expenditure involved by these contracts for the next fiscal year approximates $954,123.33. As one of the results already reached sixteen American steamships, of an aggregate tonnage of 57,400 tons, costing $7,400,000, have been built or contracted to be built in American shipyards.

The estimated tonnage of all steamships required under existing contracts is 165,802, and when the full service required by these contracts is established there will be forty-one mail steamers under the American flag, with the probability of further necessary additions in the Brazilian and Argentine service. The contracts recently let for transatlantic service will result in the construction of five ships of 10,000 tons each, costing $9,000,000 to $10,000,000, and will add, with the *City of New York* and *City of Paris*, to which the Treasury Department was authorized by legislation at the last session to give American registry, seven of the swiftest vessels upon the sea to our naval reserve. The contracts made with the lines sailing to Central and South American ports have increased the frequency and shortened the time of the trips, added new ports of call, and sustained some lines that otherwise would almost certainly have been withdrawn. The service to Buenos Ayres is the first to the Argentine Republic under the American flag. The service to Southampton,

Boulogne, and Antwerp is also new, and is to be begun with the steamships *City of New York* and *City of Paris* in February next.

I earnestly urge the continuance of the policy inaugurated by this legislation, and that the appropriations required to meet the obligations of the Government under the contracts may be made promptly, so that the lines that have entered into these engagements may not be embarrassed. We have had, by reason of connections with the transcontinental railway lines constructed through our own territory, some advantages in the ocean trade of the Pacific that we did not possess on the Atlantic. The construction of the Canadian Pacific Railway and the establishment under large subventions from Canada and England of fast steamship service from Vancouver with Japan and China seriously threaten our shipping interests in the Pacific. This line of English steamers receives, as is stated by the Commissioner of Navigation, a direct subsidy of $400,000 annually, or $30,767 per trip for thirteen voyages, in addition to some further aid from the Admiralty in connection with contracts under which the vessels may be used for naval purposes. The competing American Pacific mail line under the act of March 3, 1891, receives only $6,389 per round trip.

Efforts have been making within the last year, as I am informed, to establish under similar conditions a line between Vancouver and some Australian port, with a view of seizing there a trade in which we have had a large interest. The Commissioner of Navigation states that a very large per cent of our imports from Asia are now brought to us by English steamships and their connecting railways in Canada. With a view of promoting this trade, especially in tea, Canada has imposed a discriminating duty of 10 per cent upon tea and coffee brought into the Dominion from the United States. If this unequal contest between American lines without subsidy, or with diminished subsidies, and the English Canadian line to which I have referred is to continue, I think we should at least see that the facilities for customs entry and transportation across our territory are not such as to make the Canadian route a favored one, and that the discrimination as to duties to which I have referred is met by a like discrimination as to the importation of these articles from Canada.

No subject, I think, more nearly touches the pride, the power, and the prosperity of our country than this of the development of our merchant marine upon the sea. If we could enter into conference with other competitors and all would agree to withhold government aid, we could perhaps take our chances with the rest; but our great competitors have established and maintained their lines by government subsidies until they now have practically excluded us from participation. In my opinion no choice is left to us but to pursue, moderately at least, the same lines.

The report of the Secretary of the Navy exhibits great progress in the construction of our new Navy. When the present Secretary entered

upon his duties, only 3 modern steel vessels were in commission. The vessels since put in commission and to be put in commission during the winter will make a total of 19 during his administration of the Department. During the current year 10 war vessels and 3 navy tugs have been launched, and during the four years 25 vessels will have been launched. Two other large ships and a torpedo boat are under contract and the work upon them well advanced, and the 4 monitors are awaiting only the arrival of their armor, which has been unexpectedly delayed, or they would have been before this in commission.

Contracts have been let during this Administration, under the appropriations for the increase of the Navy, including new vessels and their appurtenances, to the amount of $35,000,000, and there has been expended during the same period for labor at navy-yards upon similar work $8,000,000 without the smallest scandal or charge of fraud or partiality. The enthusiasm and interest of our naval officers, both of the staff and line, have been greatly kindled. They have responded magnificently to the confidence of Congress and have demonstrated to the world an unexcelled capacity in construction, in ordnance, and in everything involved in the building, equipping, and sailing of great war ships.

At the beginning of Secretary Tracy's administration several difficult problems remained to be grappled with and solved before the efficiency in action of our ships could be secured. It is believed that as the result of new processes in the construction of armor plate our later ships will be clothed with defensive plates of higher resisting power than are found on any war vessels afloat. We were without torpedoes. Tests have been made to ascertain the relative efficiency of different constructions, a torpedo has been adopted, and the work of construction is now being carried on successfully. We were without armor-piercing shells and without a shop instructed and equipped for the construction of them. We are now making what is believed to be a projectile superior to any before in use. A smokeless powder has been developed and a slow-burning powder for guns of large caliber. A high explosive capable of use in shells fired from service guns has been found, and the manufacture of gun cotton has been developed so that the question of supply is no longer in doubt.

The development of a naval militia, which has been organized in eight States and brought into cordial and cooperative relations with the Navy, is another important achievement. There are now enlisted in these organizations 1,800 men, and they are likely to be greatly extended. I recommend such legislation and appropriations as will encourage and develop this movement. The recommendations of the Secretary will, I do not doubt, receive the friendly consideration of Congress, for he has enjoyed, as he has deserved, the confidence of all those interested in the development of our Navy, without any division upon partisan lines. I earnestly express the hope that a work which has made such noble

progress may not now be stayed. The wholesome influence for peace and the increased sense of security which our citizens domiciled in other lands feel when these magnificent ships under the American flag appear is already most gratefully apparent. The ships from our Navy which will appear in the great naval parade next April in the harbor of New York will be a convincing demonstration to the world that the United States is again a naval power.

The work of the Interior Department, always very burdensome, has been larger than ever before during the administration of Secretary Noble. The disability-pension law, the taking of the Eleventh Census, the opening of vast areas of Indian lands to settlement, the organization of Oklahoma, and the negotiations for the cession of Indian lands furnish some of the particulars of the increased work, and the results achieved testify to the ability, fidelity, and industry of the head of the Department and his efficient assistants.

Several important agreements for the cession of Indian lands negotiated by the commission appointed under the act of March 2, 1889, are awaiting the action of Congress. Perhaps the most important of these is that for the cession of the Cherokee Strip. This region has been the source of great vexation to the executive department and of great friction and unrest between the settlers who desire to occupy it and the Indians who assert title. The agreement which has been made by the commission is perhaps the most satisfactory that could have been reached. It will be noticed that it is conditioned upon its ratification by Congress before March 4, 1893. The Secretary of the Interior, who has given the subject very careful thought, recommends the ratification of the agreement, and I am inclined to follow his recommendation. Certain it is that some action by which this controversy shall be brought to an end and these lands opened to settlement is urgent.

The form of government provided by Congress on May 17, 1884, for Alaska was in its frame and purpose temporary. The increase of population and the development of some important mining and commercial interests make it imperative that the law should be revised and better provision made for the arrest and punishment of criminals.

The report of the Secretary shows a very gratifying state of facts as to the condition of the General Land Office. The work of issuing agricultural patents, which seemed to be hopelessly in arrear when the present Secretary undertook the duties of his office, has been so expedited that the bureau is now upon current business. The relief thus afforded to honest and worthy settlers upon the public lands by giving to them an assured title to their entries has been of incalculable benefit in developing the new States and the Territories.

The Court of Private Land Claims, established by Congress for the promotion of this policy of speedily settling contested land titles, is making satisfactory progress in its work, and when the work is completed a great

impetus will be given to the development of those regions where unsettled claims under Mexican grants have so long exercised their repressive influence. When to these results are added the enormous cessions of Indian lands which have been opened to settlement, aggregating during this Administration nearly 26,000,000 acres, and the agreements negotiated and now pending in Congress for ratification by which about 10,000,000 additional acres will be opened to settlement, it will be seen how much has been accomplished.

The work in the Indian Bureau in the execution of the policy of recent legislation has been largely directed to two chief purposes: First, the allotment of lands in severalty to the Indians and the cession to the United States of the surplus lands, and, secondly, to the work of educating the Indian for his own protection in his closer contact with the white man and for the intelligent exercise of his new citizenship. Allotments have been made and patents issued to 5,900 Indians under the present Secretary and Commissioner, and 7,600 additional allotments have been made for which patents are now in process of preparation. The school attendance of Indian children has been increased during that time over 13 per cent, the enrollment for 1892 being nearly 20,000. A uniform system of school text-books and of study has been adopted and the work in these national schools brought as near as may be to the basis of the free common schools of the States. These schools can be transferred and merged into the common-school systems of the States when the Indian has fully assumed his new relation to the organized civil community in which he resides and the new States are able to assume the burden. I have several times been called upon to remove Indian agents appointed by me, and have done so promptly upon every sustained complaint of unfitness or misconduct. I believe, however, that the Indian service at the agencies has been improved and is now administered on the whole with a good degree of efficiency. If any legislation is possible by which the selection of Indian agents can be wholly removed from all partisan suggestions or considerations, I am sure it would be a great relief to the Executive and a great benefit to the service. The appropriation for the subsistence of the Cheyenne and Arapahoe Indians made at the last session of Congress was inadequate. This smaller appropriation was estimated for by the Commissioner upon the theory that the large fund belonging to the tribe in the public Treasury could be and ought to be used for their support. In view, however, of the pending depredation claims against this fund and other considerations, the Secretary of the Interior on the 12th of April last submitted a supplemental estimate for $50,000. This appropriation was not made, as it should have been, and the oversight ought to be remedied at the earliest possible date.

In a special message to this Congress at the last session* I stated the reasons why I had not approved the deed for the release to the United

*See pp. 5664–5669.

States by the Choctaws and Chickasaws of the lands formerly embraced in the Cheyenne and Arapahoe Reservation and remaining after allotments to that tribe. A resolution of the Senate expressing the opinion of that body that notwithstanding the facts stated in my special message the deed should be approved and the money, $2,991,450, paid over was presented to me May 10, 1892. My special message was intended to call the attention of Congress to the subject, and in view of the fact that it is conceded that the appropriation proceeded upon a false basis as to the amount of lands to be paid for and is by $50,000 in excess of the amount they are entitled to (even if their claim to the land is given full recognition at the rate agreed upon), I have not felt willing to approve the deed, and shall not do so, at least until both Houses of Congress have acted upon the subject. It has been informally proposed by the claimants to release this sum of $50,000, but I have no power to demand or accept such a release, and such an agreement would be without consideration and void.

I desire further to call the attention of Congress to the fact that the recent agreement concluded with the Kiowas and Comanches relates to lands which were a part of the "leased district," and to which the claim of the Choctaws and Chickasaws is precisely that recognized by Congress in the legislation I have referred to. The surplus lands to which this claim would attach in the Kiowa and Comanche Reservation is 2,500,000 acres, and at the same rate the Government will be called upon to pay to the Choctaws and Chickasaws for these lands $3,125,000. This sum will be further augmented, especially if the title of the Indians to the tract now Greer County, Tex., is established. The duty devolved upon me in this connection was simply to pass upon the form of the deed; but as in my opinion the facts mentioned in my special message were not adequately brought to the attention of Congress in connection with the legislation, I have felt that I would not be justified in acting without some new expression of the legislative will.

The report of the Commissioner of Pensions, to which extended notice is given by the Secretary of the Interior in his report, will attract great attention. Judged by the aggregate amount of work done, the last year has been the greatest in the history of the office. I believe that the organization of the office is efficient and that the work has been done with fidelity. The passage of what is known as the disability bill has, as was foreseen, very largely increased the annual disbursements to the disabled veterans of the Civil War. The estimate for this fiscal year was $144,956,000, and that amount was appropriated. A deficiency amounting to $10,508,621 must be provided for at this session. The estimate for pensions for the fiscal year ending June 30, 1894, is $165,000,000. The Commissioner of Pensions believes that if the present legislation and methods are maintained and further additions to the pension laws are not made the maximum expenditure for pensions will be reached June 30, 1894, and will be at the highest point $188,000,000 per annum.

I adhere to the views expressed in previous messages that the care of the disabled soldiers of the War of the Rebellion is a matter of national concern and duty. Perhaps no emotion cools sooner than that of gratitude, but I can not believe that this process has yet reached a point with our people that would sustain the policy of remitting the care of these disabled veterans to the inadequate agencies provided by local laws. The parade on the 20th of September last upon the streets of this capital of 60,000 of the surviving Union veterans of the War of the Rebellion was a most touching and thrilling episode, and the rich and gracious welcome extended to them by the District of Columbia and the applause that greeted their progress from tens of thousands of people from all the States did much to revive the glorious recollections of the Grand Review when these men and many thousand others now in their graves were welcomed with grateful joy as victors in a struggle in which the national unity, honor, and wealth were all at issue.

In my last annual message I called attention to the fact that some legislative action was necessary in order to protect the interests of the Government in its relations with the Union Pacific Railway. The Commissioner of Railroads has submitted a very full report, giving exact information as to the debt, the liens upon the company's property, and its resources. We must deal with the question as we find it and take that course which will under existing conditions best secure the interests of the United States. I recommended in my last annual message that a commission be appointed to deal with this question, and I renew that recommendation and suggest that the commission be given full power.

The report of the Secretary of Agriculture contains not only a most interesting statement of the progressive and valuable work done under the administration of Secretary Rusk, but many suggestions for the enlarged usefulness of this important Department. In the successful efforts to break down the restrictions to the free introduction of our meat products in the countries of Europe the Secretary has been untiring from the first, stimulating and aiding all other Government officers at home and abroad whose official duties enabled them to participate in the work. The total trade in hog products with Europe in May, 1892, amounted to 82,000,000 pounds, against 46,900,000 in the same month of 1891; in June, 1892, the export aggregated 85,700,000 pounds, against 46,500,000 pounds in the same month of the previous year; in July there was an increase of 41 per cent and in August of 55 per cent over the corresponding months of 1891. Over 40,000,000 pounds of inspected pork have been exported since the law was put into operation, and a comparison of the four months of May, June, July, and August, 1892, with the same months of 1891 shows an increase in the number of pounds of our export of pork products of 62 per cent and an increase in value of 66½ per cent. The exports of dressed beef increased from 137,900,000 pounds in 1889 to 220,500,000 pounds in 1892, or about 60 per cent. During the past

VIEW OF THE RUINED OQUENDO

CLOSE VIEW OF THE RUINED *OQUENDO*

The reader will, no doubt, be interested to compare the damage wrought by American gunners on the *Oquendo,* of Cervera's fleet, with the effect of Japanese fire on the Russian warships in the illustration facing page 6796.

The stories of both wars are told in the Encyclopedic Index in the articles "Spanish-American War" and "Russo-Japanese War."

year there have been exported 394,607 head of live cattle, as against 205,786 exported in 1889. This increased exportation has been largely promoted by the inspection authorized by law and the faithful efforts of the Secretary and his efficient subordinates to make that inspection thorough and to carefully exclude from all cargoes diseased or suspected cattle. The requirement of the English regulations that live cattle arriving from the United States must be slaughtered at the docks had its origin in the claim that pleuro-pneumonia existed among American cattle and that the existence of the disease could only certainly be determined by a *post mortem* inspection.

The Department of Agriculture has labored with great energy and faithfulness to extirpate this disease, and on the 26th day of September last a public announcement was made by the Secretary that the disease no longer existed anywhere within the United States. He is entirely satisfied after the most searching inquiry that this statement was justified, and that by a continuance of the inspection and quarantine now required of cattle brought into this country the disease can be prevented from again getting any foothold. The value to the cattle industry of the United States of this achievement can hardly be estimated. We can not, perhaps, at once insist that this evidence shall be accepted as satisfactory by other countries; but if the present exemption from the disease is maintained and the inspection of our cattle arriving at foreign ports, in which our own veterinarians participate, confirms it, we may justly expect that the requirement that our cattle shall be slaughtered at the docks will be revoked, as the sanitary restrictions upon our pork products have been. If our cattle can be taken alive to the interior, the trade will be enormously increased.

Agricultural products constituted 78.1 per cent of our unprecedented exports for the fiscal year which closed June 30, 1892, the total exports being $1,030,278,030 and the value of the agricultural products $793,717,676, which exceeds by more than $150,000,000 the shipment of agricultural products in any previous year.

An interesting and a promising work for the benefit of the American farmer has been begun through agents of the Agricultural Department in Europe, and consists in efforts to introduce the various products of Indian corn as articles of human food. The high price of rye offered a favorable opportunity for the experiment in Germany of combining corn meal with rye to produce a cheaper bread. A fair degree of success has been attained, and some mills for grinding corn for food have been introduced. The Secretary is of the opinion that this new use of the products of corn has already stimulated exportations, and that if diligently prosecuted large and important markets can presently be opened for this great American product.

The suggestions of the Secretary for an enlargement of the work of the Department are commended to your favorable consideration. It

may, I think, be said without challenge that in no corresponding period has so much been done as during the last four years for the benefit of American agriculture.

The subject of quarantine regulations, inspection, and control was brought suddenly to my attention by the arrival at our ports in August last of vessels infected with cholera. Quarantine regulations should be uniform at all our ports. Under the Constitution they are plainly within the exclusive Federal jurisdiction when and so far as Congress shall legislate. In my opinion the whole subject should be taken into national control and adequate power given to the Executive to protect our people against plague invasions. On the 1st of September last I approved regulations establishing a twenty-day quarantine for all vessels bringing immigrants from foreign ports. This order will be continued in force. Some loss and suffering have resulted to passengers, but a due care for the homes of our people justifies in such cases the utmost precaution. There is danger that with the coming of spring cholera will again appear, and a liberal appropriation should be made at this session to enable our quarantine and port officers to exclude the deadly plague.

But the most careful and stringent quarantine regulations may not be sufficient absolutely to exclude the disease. The progress of medical and sanitary science has been such, however, that if approved precautions are taken at once to put all of our cities and towns in the best sanitary condition, and provision is made for isolating any sporadic cases and for a thorough disinfection, an epidemic can, I am sure, be avoided. This work appertains to the local authorities, and the responsibility and the penalty will be appalling if it is neglected or unduly delayed.

We are peculiarly subject in our great ports to the spread of infectious diseases by reason of the fact that unrestricted immigration brings to us out of European cities, in the overcrowded steerages of great steamships, a large number of persons whose surroundings make them the easy victims of the plague. This consideration, as well as those affecting the political, moral, and industrial interests of our country, leads me to renew the suggestion that admission to our country and to the high privileges of its citizenship should be more restricted and more careful. We have, I think, a right and owe a duty to our own people, and especially to our working people, not only to keep out the vicious, the ignorant, the civil disturber, the pauper, and the contract laborer, but to check the too great flow of immigration now coming by further limitations.

The report of the World's Columbian Exposition has not yet been submitted. That of the board of management of the Government exhibit has been received and is herewith transmitted. The work of construction and of preparation for the opening of the exposition in May next has progressed most satisfactorily and upon a scale of liberality and magnificence that will worthily sustain the honor of the United States.

The District of Columbia is left by a decision of the supreme court of the District without any law regulating the liquor traffic. An old statute of the legislature of the District relating to the licensing of various vocations has hitherto been treated by the Commissioners as giving them power to grant or refuse licenses to sell intoxicating liquors and as subjecting those who sold without licenses to penalties; but in May last the supreme court of the District held against this view of the powers of the Commissioners. It is of urgent importance, therefore, that Congress should supply, either by direct enactment or by conferring discretionary powers upon the Commissioners, proper limitations and restraints upon the liquor traffic in the District. The District has suffered in its reputation by many crimes of violence, a large per cent of them resulting from drunkenness and the liquor traffic. The capital of the nation should be freed from this reproach by the enactment of stringent restrictions and limitations upon the traffic.

In renewing the recommendation which I have made in three preceding annual messages that Congress should legislate for the protection of railroad employees against the dangers incident to the old and inadequate methods of braking and coupling which are still in use upon freight trains, I do so with the hope that this Congress may take action upon the subject. Statistics furnished by the Interstate Commerce Commission show that during the year ending June 30, 1891, there were forty-seven different styles of car couplers reported to be in use, and that during the same period there were 2,660 employees killed and 26,140 injured. Nearly 16 per cent of the deaths occurred in the coupling and uncoupling of cars and over 36 per cent of the injuries had the same origin.

The Civil Service Commission ask for an increased appropriation for needed clerical assistance, which I think should be given. I extended the classified service March 1, 1892, to include physicians, superintendents, assistant superintendents, school-teachers, and matrons in the Indian service, and have had under consideration the subject of some further extensions, but have not as yet fully determined the lines upon which extensions can most properly and usefully be made.

I have in each of the three annual messages which it has been my duty to submit to Congress called attention to the evils and dangers connected with our election methods and practices as they are related to the choice of officers of the National Government. In my last annual message I endeavored to invoke serious attention to the evils of unfair apportionments for Congress. I can not close this message without again calling attention to these grave and threatening evils. I had hoped that it was possible to secure a nonpartisan inquiry by means of a commission into evils the existence of which is known to all, and that out of this might grow legislation from which all thought of partisan advantage should be eliminated and only the higher thought appear of maintaining the freedom and purity of the ballot and the equality of the

elector, without the guaranty of which the Government could never have been formed and without the continuance of which it can not continue to exist in peace and prosperity.

It is time that mutual charges of unfairness and fraud between the great parties should cease and that the sincerity of those who profess a desire for pure and honest elections should be brought to the test of their willingness to free our legislation and our election methods from everything that tends to impair the public confidence in the announced result. The necessity for an inquiry and for legislation by Congress upon this subject is emphasized by the fact that the tendency of the legislation in some States in recent years has in some important particulars been away from and not toward free and fair elections and equal apportionments. Is it not time that we should come together upon the high plane of patriotism while we devise methods that shall secure the right of every man qualified by law to cast a free ballot and give to every such ballot an equal value in choosing our public officers and in directing the policy of the Government?

Lawlessness is not less such, but more, where it usurps the functions of the peace officer and of the courts. The frequent lynching of colored people accused of crime is without the excuse, which has sometimes been urged by mobs for a failure to pursue the appointed methods for the punishment of crime, that the accused have an undue influence over courts and juries. Such acts are a reproach to the community where they occur, and so far as they can be made the subject of Federal jurisdiction the strongest repressive legislation is demanded. A public sentiment that will sustain the officers of the law in resisting mobs and in protecting accused persons in their custody should be promoted by every possible means. The officer who gives his life in the brave discharge of this duty is worthy of special honor. No lesson needs to be so urgently impressed upon our people as this, that no worthy end or cause can be promoted by lawlessness.

This exhibit of the work of the Executive Departments is submitted to Congress and to the public in the hope that there will be found in it a due sense of responsibility and an earnest purpose to maintain the national honor and to promote the happiness and prosperity of all our people, and this brief exhibit of the growth and prosperity of the country will give us a level from which to note the increase or decadence that new legislative policies may bring to us. There is no reason why the national influence, power, and prosperity should not observe the same rates of increase that have characterized the past thirty years. We carry the great impulse and increase of these years into the future. There is no reason why in many lines of production we should not surpass all other nations, as we have already done in some. There are no near frontiers to our possible development. Retrogression would be a crime.

BENJ. HARRISON.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 7, 1892.*

To the Senate:

In response to the resolution of the Senate of April 11, 1892, requesting information in regard to the agreement between the United States and Great Britain of 1817 concerning the naval forces to be maintained by the two Governments on the Great Lakes, I transmit herewith a report of the Secretary of State and accompanying papers, giving all the information existing in that Department in regard to the agreement in question.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 4, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 23d of December, 1892, from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Comanche, Kiowa, and Apache tribes of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 4, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 23d of December, 1892, from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Pawnee tribe of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 7, 1893.

To the Senate:

In response to the resolution of the Senate of January 6, 1893, calling on the Secretary of State for information whether the provisions of Senate bill No. 3513, absolutely suspending immigration for the period of one year, are in conflict with any treaties now existing between the United States and any foreign countries, I transmit herewith a report from the Secretary of State, giving the information called for.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 11, 1893.

To the Senate:

In response to the resolutions of the Senate dated December 20, 1892, and January 5, 1893, respectively, I transmit herewith a report from the Secretary of State of the 10th instant, accompanying the reports of Mr. Walter T. Griffin, United States commercial agent at Limoges, France, and Mr. W. H. Edwards, United States consul-general at Berlin, Germany, which were called for by the aforesaid resolutions.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 13, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing the annual report of the Bureau of American Republics for the year ending June 30, 1892.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1893.

To the Senate of the United States:

In response to the resolution of the Senate of the 21st instant, relating to the alleged killing of Frank B. Riley, a sailor of the United States steamship *Newark*, in Genoa, Italy, I transmit herewith a report on the subject from the Secretary of State.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 26, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the third regular report of the World's Columbian Commission and the report of the president of the board of lady managers, with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 31, 1893.*

To the Senate of the United States:

In compliance with a resolution of the Senate, the House of Representatives concurring, I return herewith the bill (S. 2625) entitled "An act to provide for the punishment of offenses on the high seas."

BENJ. HARRISON.

EXECUTIVE MANSION, *February 2, 1893.*

To the Senate and House of Representatives:

On the 23d of July last the following resolution of the House of Representatives was communicated to me:

Resolved, That the President be requested to inform the House, if not incompatible with the public interests, what regulations are now in force concerning the transportation of imported merchandise in bond or duty paid, and products or manufactures of the United States, from one port in the United States, over Canadian territory, to another port therein, under the provisions of section 3006 of the Revised Statutes; whether further legislation thereon is necessary or advisable, and especially whether a careful inspection of such merchandise should not be had at the frontiers of the United States upon the departure and arrival of such merchandise, and whether the interests of the United States do not require that each car containing such merchandise while in Canadian territory be in the custody and under the surveillance of an inspector of the customs department, the cost of such surveillance to be paid by the foreign carrier transporting such merchandise.

The resolution is limited in its scope to the subject of the transit of merchandise from one port in the United States, through Canadian territory, to another port in the United States, under the provisions of section 3006 of the Revised Statutes; but I have concluded that a review of our treaty obligations, if any, and of our legislation upon the whole subject of the transit of goods from, to, or through Canada is desirable, and therefore address this message to the Congress.

It should be known before new legislation is proposed whether the United States is under any treaty obligations which affect this subject growing out of the provisions of Article XXIX of the treaty of Washington. That article is as follows:

It is agreed that for the term of years mentioned in Article XXXIII of this treaty goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may from time to time be specially designated by the President of the United States, and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandise may be conveyed in transit, without the payment of duties, from such possessions through the territory of the United States for export from the said ports of the United States.

It is further agreed that for the like period goods, wares, or merchandise arriving at any of the ports of Her Britannic Majesty's possessions in North America and destined for the United States may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the said possessions, under such rules and regulations and conditions for the protection of the revenue as the governments of the said possessions may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandise may be conveyed in transit, without payment of duties, from the United States through the said possessions to other places in the United States, or for export from ports in the said possessions.

It will be noticed that provision is here made—

First. For the transit in bond, without the payment of duties, of goods arriving at specified ports of the United States, and at others to be designated by the President, destined for Canada.

Second. For the transit from Canada to ports of the United States, without the payment of duties, of merchandise for export.

Third. For the transit of merchandise arriving at Canadian ports, destined for the United States, through Canadian territory to the United States, without the payment of duties to the Dominion government.

Fourth. For the transit of merchandise from the United States to Canadian ports for export without the payment of duties.

Fifth. For the transit of merchandise, without the payment of duties, from the United States, through Canada, to other places in the United States.

The first and second of these provisions were concessions by the United States and were made subject to "such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe." The third, fourth, and fifth provisions of the articles are concessions on the part of the Dominion of Canada and are made subject to "such rules and regulations and conditions for the protection of the revenue as the governments of the said possessions may from time to time prescribe." The first and second and the third and fourth of these provisions are reciprocal in their nature. The fifth, which provides for the transit of merchandise from one point in the United States, through Canada, to another point in the United States, is not met by a reciprocal provision for the passage of Canadian goods from one point in Canada to another point in Canada through the United States. If this article of the treaty is in force, the obligations assumed by the United States should be fully and honorably observed until such time as this Government shall free itself from them by methods provided in the treaty or recognized by international law. It is, however, no part of the obligation resting upon the United States under the treaty that it will use the concessions made to it by Canada. This Government would undoubtedly meet its full duty by yielding in an ample manner the concessions made by it to Canada. There could be no just cause of complaint by Great Britain or Canada if the compensating concession to the United States should not be exercised. We have not stipulated in the treaty that we will permit merchandise to be moved through Canadian territory from one point of the United States to another at the will of the shipper. The stipulation is on the part of Canada that it will permit such merchandise to enter its territory from the United States, to pass through it, and to return to the United States without the exaction of duties and without other burdens than such as may be necessary to protect its revenues.

The questions whether we shall continue to allow merchandise to pass from one point in the United States, through Canadian territory, to

another point in the United States, and, if so, to what exactions and examinations it shall be subjected on reentering our territory, are wholly within the power of Congress without reference to the question whether Article XXIX is or is not in force.

The treaty of Washington embraced a number of absolutely independent subjects. Its purpose, as recited, was "to provide for an amicable settlement of all causes of difference between the two countries." It provided for four distinct arbitrations of unsettled questions, including the Alabama claims, for a temporary settlement of the questions growing out of the fisheries, and for various arrangements affecting commerce and intercourse between the United States and the British North American possessions. Some of its provisions were made terminable by methods pointed out in the treaty. Articles I to XVII, inclusive, provide for the settlement of the Alabama claims and of the claims of British subjects against the United States, and have been fully executed. Articles XVIII to XXV, inclusive, relate to the subject of the fisheries, and provide for a joint commission to determine what indemnity should be paid to Great Britain for the fishing privileges conceded. These articles have been terminated by the notice provided for in the treaty.

Article XXVI provides for the free navigation of the St. Lawrence, Yukon, Porcupine, and Stikine rivers. Article XXVII provides for the equal use of certain frontier canals and waterways, and contains no provision for termination upon notice. Article XXVIII opens Lake Michigan to the commerce of British subjects under proper regulations, and contains a provision for its abrogation, to which reference will presently be made. Article XXX provides for certain privileges of transshipment on the Lakes and northern waterways, and contains the same provision as Article XXIX as to the method by which it may be terminated. Article XXXI provides for the nonimposition of a Canadian export duty on lumber cut in certain districts in Maine and floated to the sea by the St. Johns River, and contains no limitation as to time and no provision for its abrogation. Article XXXII extended to Newfoundland in the event of proper legislation by that Province the fishery provisions of Articles XVIII to XXV, and was of course abrogated with those articles. Article XXXIII, which provides a method for the abrogation of certain articles of the treaty, I will presently quote at length. The remaining articles of the treaty, namely XXXV to XLII, provide for the arbitration of the dispute as to the Vancouver Island and De Haro Channel boundary, and have been fully executed. Articles XVIII, XIX, XXI, XXVIII, XXIX, and XXX each contains a provision limiting their life to "the term of years mentioned in Article XXXIII of this treaty." The articles between XVIII and XXX, inclusive, which do not contain this provision, are those that provide for an arbitration of the fishery question, which were of course terminable by the completion of the arbitration; Article XXVI, relating to the navigation of the St. Lawrence and

other rivers, and Article XXVII, relating to the use of the canals. The question whether Article XXIX is still in force depends, so far as the construction of the treaty goes, upon the meaning of the words "the term of years mentioned in Article XXXIII." That article is as follows:

> The foregoing Articles XVIII to XXV, inclusive, and Article XXX of this treaty shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the parliament of Canada, and by the legislature of Prince Edwards Island on the one hand and by the Congress of the United States on the other. Such assent having been given, the said articles shall remain in force for the period of ten years from the date at which they may come into operation, and, further, until the expiration of two years after either of the high contracting parties shall have given notice to the other of its wish to terminate the same; each of the high contracting parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterwards.

The question of construction here presented is whether the reference to "the term of years mentioned in Article XXXIII" is to be construed as limiting the continuance of Article XXIX to the duration of Articles XVIII to XXV and XXX in such a way that the abrogation of those articles necessarily carried with it the other articles of the treaty which contained the reference to Article XXXIII already quoted, or whether the reference to this "term of years" in Articles XXVIII and XXIX was intended to provide a method of abrogation after ten years from the time of their taking effect, viz, a notice of two years of an intention to abrogate. The language of the treaty, considered alone, might support the conclusion that Article XXXIII was intended to provide a uniform method of abrogation for certain other articles. It will be noticed that the treaty does not expressly call for legislation to put Article XXIX into operation. Senator Edmunds, in the discussion in the Senate of the joint resolution terminating the fisheries article, took the view that no legislation was necessary. It seems to me, however, that such legislation was necessary, and Congress acted upon this view in the law of 1873, to which reference will presently be made. An examination of the discussion between the plenipotentiaries who framed the treaty furnishes this entry, which President Cleveland thought to be conclusive of the intention of the plenipotentiaries, viz:

> The transit question was discussed, and it was agreed that any settlement that might be made should include a reciprocal arrangement in that respect for the period for which the fishery articles should be in force.

On March 1, 1873, Congress passed an act entitled "An act to carry into effect the provisions of the treaty between the United States and Great Britain signed in the city of Washington the 8th day of May, 1871, relating to the fisheries." The act consisted of five sections, the first and second of which provided for carrying into effect the provisions of the treaty "relating to the fisheries." The fourth section provided for carrying into effect section 30 of the treaty. These three sections

furnished the legislation contemplated by Article XXXIII of the treaty to carry into effect Articles XVIII to XXV and XXX. The act, however, went further, as will be seen by an examination of section 3, which is as follows:

> That from the date of the President's proclamation authorized by the first section of this act, and so long as the Articles XVIII to XXV, inclusive, and Article XXX of said treaty shall remain in force, according to the terms and conditions of Article XXXIII of said treaty, all goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may from time to time be specially designated by the President of the United States, and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Secretary of the Treasury may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandise may be conveyed in transit, without the payment of duties, from such possessions through the territory of the United States, for export from the said ports of the United States.

It will be noticed that provision is here made for carrying into effect the two provisions of Article XXIX which I have already characterized as the concessions on the part of the United States, namely, the passage duty free from certain designated ports of the United States to Canada of imported goods, and the passage duty free to ports of the United States of Canadian goods for export. Section 3 of the law of 1873, which I have quoted, however, contains a legislative construction of Article XXIX of the treaty in the limitation that the provisions therein contained as to the transit of goods should continue in force only so long as Articles XVIII to XXV, inclusive, and XXX of the treaty should remain in force.

On March 3, 1883, Congress passed a joint resolution entitled as follows: "Joint resolution providing for the termination of articles numbered XVIII to XXV, inclusive, and article numbered XXX of the treaty between the United States of America and Her Britannic Majesty concluded at Washington May 8, 1871."

The resolution provided for the giving of notice of the abrogation of the articles of the treaty named in the title, and of no others. Section 3 contained the following provision:

> And the act of Congress approved March 1, A. D. 1873, entitled * * * so far as it relates to the articles of said treaty so to be terminated, shall be and stand repealed and be of no force on and after the time of the expiration of said two years.

An examination of the debates at the time of the passage of this joint resolution very clearly shows that Congress made an attempt to save Article XXIX of the treaty and section 3 of the act of 1873. In the Senate on the 21st of February, 1883, the resolution being under consideration, several Senators, including Mr. Edmunds, the chairman of the Judiciary Committee, expressed the opinion that Article XXIX would not be affected by the abrogation of Articles XVIII to XXV and XXX,

and an amendment was made to the resolution with a view to leave section 3 of the act of 1873 in force. The same view was taken in the debates in the House.

The subject again came before Congress in connection with the consideration of a bill (S. 3173) to "authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases, and for other purposes."

In the course of the debate upon the bill in the Senate January 24, 1887, and in the House February 23 following, the prevailing opinion was, though not without some dissent, that Article XXIX was still in force.

On the 6th of July, 1887, in response to an inquiry by the Secretary of the Treasury, Mr. Bayard wrote a letter, a copy of which accompanies this message, in which he expresses the opinion that Article XXIX of the treaty was unaffected by the abrogation of the fisheries articles and was still in force. In August, 1888, however, Mr. Cleveland, in a message to Congress, expresses his opinion of the question in the following language:

> In any event, and whether the law of 1873 construes the treaty or governs it, section 29 of such treaty, I have no doubt, terminated with the proceedings taken by our Government to terminate Articles XVIII to XXV, inclusive, and Article XXX of the treaty. * * *
>
> If by any language used in the joint resolution it was intended to relieve section 3 of the act of 1873, embodying Article XXIX of the treaty, from its own limitations, or to save the article itself, I am entirely satisfied that the intention miscarried.

I have asked the opinion of the Attorney-General upon this question, and his answer accompanies this message. He is of the opinion that Article XXIX has been abrogated.

It should be added that the United States has continuously, through the Treasury Department, conducted our trade intercourse with Canada as if Article XXIX of the treaty and section 3 of the act of 1873 remained in force, and that Canada has continued to yield in practice the concessions made by her in that article. No change in our Treasury methods was made following Mr. Cleveland's message from which I have quoted. I am inclined to think that, using the aids which the protocol and the nearly contemporaneous legislation by Congress in the act of 1873 furnish in construing the treaty, the better opinion is that Article XXIX of the treaty is no longer operative. The enactment of section 3 of the act of 1873 was a clear declaration that legislation was necessary to put Article XXIX of the treaty into operation, and that under the treaty our obligation to provide such legislation terminated whenever Articles XVIII to XXV and XXX should be abrogated. This legislation was accepted by Great Britain as a compliance with our obligations under the treaty. No objection was made that our statute treated Article XXIX as having force only so long as the other articles named were in force.

But the question whether Article XXIX is in force has less practical

importance than has been supposed, for it does not, if in force, place any restraints upon the United States as to the method of dealing with imported merchandise destined for the United States arriving at a Canadian port for transportation to the United States, or of merchandise passing through Canadian territory from one place in the United States to another. It would be no infraction either of the letter or of the spirit of the treaty if we should stop, unload, and carefully inspect every vehicle arriving at our border with such merchandise; nor, on the other hand, would Canada violate her obligations under the treaty by a like treatment of merchandise imported through the port of New York on its arrival in Canada. Neither Government has placed itself under any restraint as to merchandise intended for the use of its own people when such merchandise comes within its own territory. The question, therefore, as to how we shall deal with merchandise imported by our own people through a Canadian port and with merchandise passing from one place in the United States to another through Canadian territory is wholly one of domestic policy and law.

I turn now to consider the legislation of Congress upon this subject, upon which, as it seems to me, the duties of the Treasury and the rights of our people as to those phases of the transportation question to which I have just alluded wholly depend. Sections 3005 and 3006 of the Revised Statutes, which are taken from the act of July 28, 1866, entitled "An act to protect the revenue, and for other purposes" (14 U. S. Statutes at Large, p. 328), are as follows:

SEC. 3005. All merchandise arriving at the ports of New York, Boston, Portland in Maine, or any other port specially designated by the Secretary of the Treasury, and destined for places in the adjacent British Provinces, or arriving at the port of [*Point Isabel*] [Brownsville] in Texas, or any other port specially designated by the Secretary of the Treasury, and destined for places in the Republic of Mexico, may be entered at the custom-house and conveyed in transit through the territory of the United States without the payment of duties, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 3006. Imported merchandise in bond, or duty paid, and products or manufactures of the United States, may, with the consent of the proper authorities of the British Provinces or Republic of Mexico, be transported from one port in the United States to another port therein, over the territory of such Provinces or Republic, by such routes and under such rules, regulations, and conditions as the Secretary of the Treasury may prescribe; and the merchandise so transported shall, upon arrival in the United States from such Provinces or Republic, be treated in regard to the liability to or exemption from duty or tax as if the transportation had taken place entirely within the limits of the United States.

Section 3102 of the Revised Statutes is also related to this subject, and is as follows:

To avoid the inspection at the first port of arrival, the owner, agent, master, or conductor of any such vessel, car, or other vehicle, or owner, agent, or other person having charge of any such merchandise, baggage, effects, or other articles, may apply to any officer of the United States duly authorized to act in the premises to seal or close the same, under and according to the regulations hereinafter authorized, previous

to their importation into the United States, which officer shall seal or close the same accordingly; whereupon the same may proceed to their port of destination without further inspection. Every such vessel, car, or other vehicle shall proceed without unnecessary delay to the port of its destination, as named in the manifest of its cargo, freight, or contents, and be there inspected. Nothing contained in this section shall be construed to exempt such vessel, car, or vehicle, or its contents, from such examination as may be necessary and proper to prevent frauds upon the revenue and violations of this title.

It will be noticed that section 3005 does not provide for the transit of merchandise through our territory from Canada to ports of the United States for export, nor have I been able to find any other law now in force that does provide for such transit. It would seem, therefore, that as to this concession made by the United States in Article XXIX of the treaty, legislation to put it into force was necessary, and that there is no such legislation unless section 3 of the act of 1873 was saved by the amendment to the joint resolution abrogating the fisheries articles and Article XXX, limiting the repeal to so much of said act as "relates to the articles of said treaty so to be terminated." The joint resolution certainly did not repeal section 3, and if that section has ceased to be operative it is by virtue of the limitation contained in the section itself. I think it did expire by its own express limitation.

The question has presented itself whether section 3 of the act of 1873 (U. S. Revised Statutes, sec. 2866) repealed by implication that section of the act of July, 1866, which is now section 3005 of the Revised Statutes; but I am of the opinion that the last-named section was not repealed. Section 3 of the act of 1873 was expressly intended to carry into effect a treaty obligation and was limited as to time. It contained no express repeal of the act of 1866, and while its provisions were broader than the last-named act, they were not inconsistent, save in the provision that while the act of 1873 was in force the additional ports in the United States at which Canadian goods might be received were to be designated by the President, whereas under the act of 1866 the designation was by the Secretary of the Treasury. The last-named act related also to intercourse with Mexico, and I think was unaffected by the act of 1873.

It will be seen that the law permits merchandise arriving at the ports of New York, Boston, Portland in Maine, and at other ports specially designated by the Secretary of the Treasury, for places in the adjacent British Provinces, to be entered at the custom-house of the port where it is landed and conveyed through the territory of the United States without the payment of duty, under regulations to be prescribed by the Secretary of the Treasury. As these goods come immediately and fully under the inspection of our customs officers at the principal ports, are entered there and remain until they cross our border into Canada fully under our supervision, there is little or no danger involved to our revenue. The regulations prescribed by the Treasury for conducting this traffic seem to me to be adequate.

As to merchandise imported into the United States from a contiguous foreign country, it is provided by section 3102 that the inspection at the first port of arrival in the United States may be avoided if the vehicle in which the same arrives has been sealed or closed by some officer of the United States duly authorized at some point in the contiguous country. When the act of closing or sealing conformably to the regulations of the Treasury has been effected, the car or other vehicle may proceed without unnecessary delay to the port of its destination, as named in the manifest of its cargo, freight, or contents, and be there inspected. This privilege, however, is subject to such examination at the point of entry to the United States as may be necessary to prevent fraud. It is important to be noticed that the merchandise to which this section refers is described in section 3100 as merchandise, etc., "imported into the United States from any contiguous foreign country."

A practice has grown up, and a traffic of considerable dimensions under it, of allowing merchandise from China and Japan, purchased and imported from those countries by our own citizens and landed at ports in the Dominion of Canada, to be there loaded into cars, which, being sealed by an officer of the United States or some one supposed to represent him, are forwarded through the territory of Canada, across the entire continent, and allowed to cross our frontier without other inspection than an examination of the seals. The real fact is that the American consul can not and does not either compare the manifest with the contents of the cars or attach the seals. The agents of the transportation companies are furnished by the consul with the seals and place them upon the cars. The practice of sealing such merchandise, notwithstanding it has been allowed by the Treasury for some years, I think is unauthorized. Such merchandise is not imported from a "contiguous country," but from China and Japan.

It has never become subject to the Canadian revenue laws as an importation from Japan to Canada, but by force of the treaty or by the courtesy of that government has been treated as subject to the revenue laws of the United States from the time of landing at the Canadian port. Our Treasury seal has been placed upon it; Canada only gives it passage. It is no more an importation from Canada than is a train load of wheat that starts from Detroit and is transported through Canada to another port of the United States. Section 3102 was enacted in 1864, two years before sections 3005 and 3006, and could not have had reference to the later methods of importing merchandise through one country to the other.

The practice to which I have referred not only equalizes the advantages of Canadian seaports with our own in the importation of goods for our domestic consumption, but makes the Canadian ports favored ports of entry. The detentions under this system at the Canadian ports are less than when the merchandise is landed at a port of the United States to be forwarded in bond to another port therein. Full effect should be

given to section 3102 as to merchandise imported into the United States from Canada, so far as the appropriations enable the Treasury to provide the officers to do the work of closing and sealing. It will, however, be required that all this kind of work be done, and carefully done, by an officer of the United States, and that the duty shall in no case be delegated to the employees of the transportation companies. The considerations that it is quite doubtful whether a fraud committed in Canada by one of our agents upon our revenue would be punishable in our courts, and that such a fraud committed by anyone else certainly would not be, and that even if such acts are made penal by our statutes the criminal would be secure against extradition, seem to me to be conclusive against the policy of attempting to maintain such revenue agents in Canadian territory.

I come now to discuss another element of this international traffic, namely, the transportation of merchandise from one "port" in the United States to another "port" therein over the territory of Canada. This traffic is enormous in its dimensions, and very great interests have grown up in the United States in connection with it. Section 3006 authorizes this traffic, subject to "such rules, regulations, and conditions as the Secretary of the Treasury may prescribe;" but the important limitation is from "port" to "port." Section 3007 of the Revised Statutes, which exempts sealed cars from certain fees, preserves the terms of the preceding section—from "port" to "port." It seems to me that sections 3006 and 3007 contemplate the delivery of the sealed cars at a "port" of the United States, there to be examined by a revenue officer and their contents verified; but in practice the car, if the seal is found at the border to be intact, is passed to places not "ports" and is opened and unloaded by the consignee, no officer being present. The bill or manifest accompanying the merchandise and the unbroken seal on the car may furnish *prima facie* evidence that the amount and kind of merchandise named in the manifest and said to be contained in the car came from a port in the United States, but certainly it was not intended that the merchandise should go to the owner without an official ascertainment of the correspondence between the bill and the actual contents of the car.

I pass at this point any discussion of the question whether as a national policy this traffic should be promoted. It is enough to say that as the law stands it is authorized between "ports" of the United States, and that the rules, regulations, and conditions to be prescribed by the Secretary of the Treasury must not, in view of this declaration of the legislative will, be further restrictive of the traffic than may reasonably be necessary to protect the revenues of the United States. In determining whether further regulations are reasonably necessary to prevent frauds against our revenue it is not conclusive, at least, to say that frauds against the revenue under the existing system have not been discovered. The question

is, Are the regulations such as to provide proper safeguards against fraud, or are they such as to make fraud easy to those who have the disposition to commit it? If all cars carrying this merchandise are carefully and honestly inspected at the point of lading and are securely closed during the transit, the revenue would be secure, for the proper lading of these cars is not subject to duty. Frauds can only be perpetrated by introducing products not subject to free entry. In practice the seals and locks provided by the Treasury Department do not give security that these cars, in the long transit in which they are free from observation by officers of the revenue, may not be opened and dutiable merchandise added.

The duplication of the seals used, composed of wire and lead, is easy, and the opening of locks scarcely less so. If, however, the cars, when they arrive in the United States, either at the point where our boundary is crossed or at some other port of the United States, were subject to the inspection of a revenue officer before the delivery to the consignee or owner, the manifest could be verified. The inspection, however, is now limited to an examination of the lock or seal. The car is not weighed or opened to verify its contents. I do not think this is an adequate protection against the surreptitious introduction into the cars, while on foreign territory, of dutiable articles. It will be seen by the letter of the Secretary of the Treasury that grain the product of the United States is now largely transported in American vessels to Canadian lake ports, and after being there placed in elevators is sent east in cars sealed by agents of the Treasury.

No observation is taken of this grain until its arrival in Canada, where only the amount and grade are noted by a Treasury agent, and a like amount in grade and quantity (though it may be not the identical grain) is by such agent billed and sealed in cars for carriage to the United States. I do not find any statute authorizing this practice. Section 3006, which authorizes this interstate trade through Canada, is limited to merchandise passing from "port" to "port" of the United States, and plainly means that such merchandise shall be taken up by our revenue officers at a "port" of the United States as a starting point.

The following are the conclusions at which I have arrived:

First. That Article XXIX of the treaty of Washington has been abrogated.

Second. That even if this article were in force there is no law in force to execute it.

Third. That when in force the treaty imposed no obligation upon the United States to use the concessions as to transit made by Canada, and no limitation upon the powers of the United States in dealing with merchandise imported for the use of our citizens through Canadian ports or passing from one place in the United States to another through Canada, upon the arrival of such merchandise at our border.

Fourth. That therefore, treaty or no treaty, the question of sealing cars containing such merchandise and the treatment of such sealed cars when they cross our border is and always has been one to be settled by our laws, according to our convenience and our interests as we may see them.

Fifth. That the law authorizing the sealing of cars in Canada containing foreign merchandise imported from a contiguous country does not apply to merchandise imported by our own people from countries not contiguous and carried through Canada for delivery to such owners.

Sixth. That the law did not contemplate the passing of sealed cars to any place not a "port," nor the delivery of such cars to the owner or consignee, to be opened by him without the supervision of a revenue officer.

Seventh. That such a practice is inconsistent with the safety of the revenue.

The statutes relating to the transportation of merchandise between the United States and the British possessions should be the subject of revision. The Treasury regulations have given to these laws a construction and a scope that I do not think was contemplated by Congress. A policy adapted to the new conditions, growing in part out of the construction of the Canadian Pacific Railroad, should be declared, and the business placed upon a basis more just to our people and to our transportation companies.

If we continue the policy of supervising rates and requiring that they shall be equal and reasonable upon the railroads of the United States, we can not in fairness at the same time give these unusual facilities for competition to Canadian roads that are free to pursue the practices as to cut rates and favored rates that we condemn and punish if practiced by our own railroads.

I regret that circumstances prevented an earlier examination by me of these questions, but submit now these views in the hope that they may lead to a revision of the laws upon a safer and juster basis.

I transmit herewith the correspondence between the Secretary of the Treasury and the Attorney-General upon some phases of this question.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 6, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, dated 4th instant, accompanied by an agreement concluded by and between the Turtle Mountain Indians and the commission appointed under the provisions of the Indian appropriation act of July 13, 1892, to negotiate with the Turtle Mountain band of Chippewa Indians in North Dakota for the cession and relinquishment

to the United States of whatever right or interest they have in and to any and all lands in said State to which they claim title, and for their removal to and settlement upon lands to be hereafter selected and determined upon by the Secretary of the Interior upon the recommendation of the proposed commissioners, subject to the approval of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 6, 1893.

To the Senate:

I transmit herewith, as desired by the resolution of the Senate of the 4th instant, a report from the Secretary of State of the 6th instant, with its accompanying correspondence, in relation to the draft of an uncompleted treaty with Hawaii made in 1854.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 8, 1893.

To the Senate and House of Representatives:

I transmit herewith the eighth annual report of the Commissioner of Labor. This report relates to industrial education in the United States and foreign countries.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 14, 1893.

To the Senate and House of Representatives:

I transmit herewith a special report of the Commissioner of Labor relating to compulsory insurance of workingmen in Germany and other countries.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 14, 1893.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 13th instant from the Secretary of the Interior, transmitting copy of reports of Lieutenants Brown, Gurovits, and Suplee, United States Army, who were charged with the duty of inspecting the Navajo country, so that the Interior Department could be advised as to the practicability of restraining the Navajoes within their present reservations and of furnishing irrigation and water for their flocks, together with report of the Commissioner of Indian Affairs upon the matter with draft of an item of appropriation to carry the same into effect.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 15, 1893.

To the Senate:

I transmit herewith, with a view to its ratification, a treaty of annexation concluded on the 14th day of February, 1893, between John W. Foster, Secretary of State, who was duly empowered to act in that behalf on the part of the United States, and Lorin A. Thurston, W. R. Castle, W. C. Wilder, C. L. Carter, and Joseph Marsden, the commissioners on the part of the Government of the Hawaiian Islands. The provisional treaty, it will be observed, does not attempt to deal in detail with the questions that grow out of the annexation of the Hawaiian Islands to the United States. The commissioners representing the Hawaiian Government have consented to leave to the future and to the just and benevolent purposes of the United States the adjustment of all such questions.

I do not deem it necessary to discuss at any length the conditions which have resulted in this decisive action. It has been the policy of the Administration not only to respect but to encourage the continuance of an independent government in the Hawaiian Islands so long as it afforded suitable guaranties for the protection of life and property and maintained a stability and strength that gave adequate security against the domination of any other power. The moral support of this Government has continually manifested itself in the most friendly diplomatic relations and in many acts of courtesy to the Hawaiian rulers.

The overthrow of the monarchy was not in any way promoted by this Government, but had its origin in what seems to have been a reactionary and revolutionary policy on the part of Queen Liliuokalani, which put in serious peril not only the large and preponderating interests of the United States in the islands, but all foreign interests, and, indeed, the decent administration of civil affairs and the peace of the islands. It is quite evident that the monarchy had become effete and the Queen's Government so weak and inadequate as to be the prey of designing and unscrupulous persons. The restoration of Queen Liliuokalani to her throne is undesirable, if not impossible, and unless actively supported by the United States would be accompanied by serious disaster and the disorganization of all business interests. The influence and interest of the United States in the islands must be increased and not diminished.

Only two courses are now open—one the establishment of a protectorate by the United States, and the other annexation full and complete. I think the latter course, which has been adopted in the treaty, will be highly promotive of the best interests of the Hawaiian people, and is the only one that will adequately secure the interests of the United States. These interests are not wholly selfish. It is essential that none of the other great powers shall secure these islands. Such a possession would not consist with our safety and with the peace of the world. This view of the situation is so apparent and conclusive that no protest has been

heard from any government against proceedings looking to annexation. Every foreign representative at Honolulu promptly acknowledged the Provisional Government, and I think there is a general concurrence in the opinion that the deposed Queen ought not to be restored.

Prompt action upon this treaty is very desirable. If it meets the approval of the Senate, peace and good order will be secured in the islands under existing laws until such time as Congress can provide by legislation a permanent form of government for the islands. This legislation should be, and I do not doubt will be, not only just to the natives and all other residents and citizens of the islands, but should be characterized by great liberality and a high regard to the rights of all people and of all foreigners domiciled there. The correspondence which accompanies the treaty will put the Senate in possession of all the facts known to the Executive.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 16, 1893.

To the Senate:

I transmit herewith a letter from the Secretary of State of the 15th instant, covering a report, with accompanying correspondence, respecting relations between the United States and the Hawaiian Islands from September, 1820, to January, 1893.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 20, 1893.

To the Senate of the United States:

I transmit herewith a report submitted by the Acting Secretary of State in response to the resolution of the Senate of February 2 last, relating to the building of the Ozama River bridge at Santo Domingo City by American citizens.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 21, 1893.

To the Senate and House of Representatives:

I transmit herewith a communication of the Secretary of State, transmitting the official report of the American delegates to the International Monetary Conference convened at Brussels on November 22, 1892, with its accompaniments.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 25, 1893.*

To the Senate of the United States:

In compliance with a resolution of the Senate, the House of Representatives concurring, I return herewith the bill (S. 3811) entitled "An

act to amend an act entitled 'An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island,' approved September 26, 1890."

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 27, 1893.

To the Senate and House of Representatives:

I herewith transmit, for the information of Congress, a communication from the Acting Secretary of State, forwarding certain bulletins of the Bureau of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., March 1, 1893.

To the Senate and House of Representatives:

I transmit herewith the fifth special report of the Commissioner of Labor. The report relates to the so-called "Gothenburg system" of regulating the liquor traffic, the system prevailing in Norway and Sweden.

BENJ. HARRISON.

VETO MESSAGE.

EXECUTIVE MANSION, *February 27, 1893.*

To the House of Representatives:

I return herewith without my approval an act (H. R. 9612) entitled "An act to prescribe the number of district attorneys and marshals in the judicial districts of the State of Alabama."

Under the present law there is a district attorney for the southern district of Alabama, a district attorney for the northern and middle districts, a marshal for the northern district, and a marshal for the southern and middle districts.

An examination of the records of the Attorney-General's office as to the amount of business in the courts in these districts leads me to believe that two districts would provide amply for the disposition of all public and private cases. The law creates two new officers, whose aggregate compensation may be $12,000 per annum, without, it seems to me, a justifying necessity. But the most serious objection to the legislation is that it creates at once upon the taking effect of the law the offices of district attorney and marshal for each of the three districts, and the effect, it seems to me, must be to abolish the offices as they now exist.

No provision is made for a continued discharge of the duties of marshal and district attorney by the present incumbents. A serious question would be raised as to whether these officers were not at once legislated out of office and vacancies created. As these vacancies could not be filled immediately, the business of the courts would seriously suffer. The law should at least have contained a provision for the continued discharge of their duties by the incumbents until the new officers were appointed and qualified.

BENJ. HARRISON.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas it is made to appear, by petition and otherwise, that the interests of the public and the welfare of the people of the State of Colorado will be materially benefited and subserved by the reservation of the public and forest lands hereinafter described:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by said act, do hereby set apart, reserve, and establish as a public reservation all that tract of land in the State of Colorado embraced in the following boundary and description, to wit:

Beginning at the confluence of the North Fork of the South Platte River with the South Platte River; thence up the middle of the channel of the North Fork of the South Platte River to the range line between township seven (7) south, ranges seventy-four (74) and seventy-five (75) west of the sixth (6th) principal meridian; thence northerly on said range line to the northeast corner of township seven (7) south, range seventy-five (75) west; thence westerly on the township line between townships six (6) and seven (7) south to the northwest corner of township seven (7) south, range seventy-six (76) west; thence southerly on the range line between ranges seventy-six (76) and seventy-seven (77) west to the northeast corner of section thirteen (13), township seven (7) south, range

seventy-seven (77) west; thence westerly on the section line between sections twelve (12) and thirteen (13) to the northwest corner of section thirteen (13) of said township and range; thence southerly on the section line between sections thirteen (13) and fourteen (14), twenty-three (23) and twenty-four (24), and twenty-five (25) and twenty-six (26) to the northeast corner of section thirty-five (35) of said township and range; thence westerly on the section line between sections twenty-six (26) and thirty-five (35) and twenty-seven (27) and thirty-four (34) to the northwest corner of section thirty-four (34) of said township and range; thence southerly on the section line between sections thirty-three (33) and thirty-four (34) of said township and range and sections three (3) and four (4), nine (9) and ten (10), and fifteen (15) and sixteen (16), township eight (8) south, range seventy-seven (77) west, to the northeast corner of section twenty-one (21) of said last-named township and range; thence westerly on the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19) of said township and range; thence southerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the northeast corner of section thirteen (13), township nine (9) south, range seventy-eight (78) west; thence westerly on the section line between sections twelve (12) and thirteen (13) and eleven (11) and fourteen (14) to the northwest corner of section fourteen (14) of said township and range; thence southerly on the section line between sections fourteen (14) and fifteen (15) to the southwest corner of said section fourteen (14); thence westerly on the section line between sections fifteen (15) and twenty-two (22) and sixteen (16) and twenty-one (21) to the northwest corner of section twenty-one (21) of said township and range; thence southerly on the section line between sections twenty (20) and twenty-one (21) and twenty-eight (28) and twenty-nine (29) to the southwest corner of section twenty-eight (28) of said township and range; thence easterly on the section line between sections twenty-eight (28) and thirty-three (33) to the southeast corner of said section twenty-eight (28); thence southerly on the section line between sections thirty-three (33) and thirty-four (34) of said township and range and sections three (3) and four (4), nine (9) and ten (10), and fifteen (15) and sixteen (16), township ten (10) south, range seventy-eight (78) west, to the northeast corner of section twenty-one (21) of said last-named township and range; thence westerly on the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19) of said township and range; thence southerly on the range line between ranges seventy-eight (78) and seventy-nine (79) west to the southwest corner of township ten (10) south, range seventy-eight (78) west; thence westerly on the second (2d) correction line south to the northwest corner of section one (1), township eleven (11) south, range seventy-nine (79) west;

thence southerly on the section line between sections one (1) and two (2), eleven (11) and twelve (12), thirteen (13) and fourteen (14), twenty-three (23) and twenty-four (24), twenty-five (25) and twenty-six (26), and thirty-five (35) and thirty-six (36) of said township and range and sections one (1) and two (2), eleven (11) and twelve (12), and thirteen (13) and fourteen (14), township twelve (12) south, range seventy-nine (79) west, to the southwest corner of section thirteen (13) of said last-named township and range; thence easterly on the section line between sections thirteen (13) and twenty-four (24) of said township and range and sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), and fifteen (15) and twenty-two (22), township twelve (12) south, range seventy-eight (78) west, to the quarter-section corner between said sections fifteen (15) and twenty-two (22); thence southerly through the middle of sections twenty-two (22), twenty-seven (27), and thirty-four (34) to the quarter-section corner on the south boundary of section thirty-four (34) of said township and range; thence easterly on the township line between townships twelve (12) and thirteen (13) south, range seventy-eight (78) west, to the northwest corner of township thirteen (13) south, range seventy-seven (77) west; thence southerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the southwest corner of section six (6), township thirteen (13) south, range seventy-seven (77) west; thence easterly on the section line between sections six (6) and seven (7), five (5) and eight (8), and four (4) and nine (9) to the southeast corner of section four (4) of said township and range; thence northerly on the section line between sections three (3) and four (4) of said township and range and sections thirty-three (33) and thirty-four (34), township twelve (12) south, range seventy-seven (77) west, to the northeast corner of section thirty-three (33) of said last-named township and range; thence easterly on the section line between sections twenty-seven (27) and thirty-four (34) to the southeast corner of section twenty-seven (27) of said township and range; thence northerly on the section line between sections twenty-six (26) and twenty-seven (27), twenty-two (22) and twenty-three (23), fourteen (14) and fifteen (15), ten (10) and eleven (11), and two (2) and three (3) of said township and range and sections thirty-four (34) and thirty-five (35), township eleven (11) south, range seventy-seven (77) west, to the northeast corner of section thirty-four (34) of said township and range; thence westerly on the section line between sections twenty-seven (27) and thirty-four (34) to the northwest corner of said section thirty-four (34); thence northerly on the section line between sections twenty-seven (27) and twenty-eight (28) to the northeast corner of section twenty-eight (28) of said township and range; thence westerly on the section line between sections twenty-one (21) and twenty-eight (28), twenty (20) and twenty-nine (29), and nineteen (19) and thirty (30) to the northwest corner of section thirty (30) of said township and range;

thence northerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the northeast corner of township eleven (11) south, range seventy-eight (78) west; thence easterly on the second (2d) correction line south to the southeast corner of township ten (10) south, range seventy-eight (78) west; thence northerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the southwest corner of section eighteen (18), township nine (9) south, range seventy-seven (77) west; thence easterly on the section line between sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), and fifteen (15) and twenty-two (22) to the southeast corner of section fifteen (15) of said township and range; thence northerly on the section line between sections fourteen (14) and fifteen (15) and ten (10) and eleven (11) to the southwest corner of section two (2) of said township and range; thence easterly on the section line between sections two (2) and eleven (11) and one (1) and twelve (12) to the southeast corner of section one (1) of said township and range; thence northerly on the range line between ranges seventy-six (76) and seventy-seven (77) west to the southwest corner of township eight (8) south, range seventy-six (76) west; thence easterly on the township line between townships eight (8) and nine (9) south, range seventy-six (76) west, to the southeast corner of section thirty-one (31), township eight (8) south, range seventy-six (76) west; thence northerly on the section line between sections thirty-one (31) and thirty-two (32) to the southwest corner of section twenty-nine (29) of said township and range; thence easterly on the section line between sections twenty-nine (29) and thirty-two (32) to the southeast corner of said section twenty-nine (29); thence northerly on the section line between sections twenty-eight (28) and twenty-nine (29) and twenty (20) and twenty-one (21) to the southwest corner of section sixteen (16) of said township and range; thence easterly on the section line between sections sixteen (16) and twenty-one (21) to the southeast corner of said section sixteen (16); thence northerly on the section line between sections fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) of said township and range, and sections thirty-three (33) and thirty-four (34), township seven (7) south, range seventy-six (76) west, to the southwest corner of section twenty-seven (27) of said township and range; thence easterly on the section line between sections twenty-seven (27) and thirty-four (34), twenty-six (26) and thirty-five (35), and twenty-five (25) and thirty-six (36) of said township and range, and sections thirty (30) and thirty-one (31), twenty-nine (29) and thirty-two (32), twenty-eight (28) and thirty-three (33), and twenty-seven (27) and thirty-four (34), township seven (7) south, range seventy-five (75) west, to the northwest corner of section thirty-five (35) of said township and range; thence southerly on the section line between sections thirty-four (34) and thirty-five (35) of said township and range and sections two (2) and three (3), ten (10) and eleven (11), fourteen (14) and

fifteen (15), twenty-two (22) and twenty-three (23), twenty-six (26) and twenty-seven (27), and thirty-four (34) and thirty-five (35), township eight (8) south, range seventy-five (75) west, to the southwest corner of section thirty-five (35) of said township and range; thence easterly on the township line between townships eight (8) and nine (9) south, range seventy-five (75) west, to the northwest corner of township nine (9) south, range seventy-four (74) west; thence southerly on the range line between ranges seventy-four (74) and seventy-five (75) west to the southwest corner of township ten (10) south, range seventy-four (74) west; thence easterly on the second (2d) correction line south to the northwest corner of township eleven (11) south, range seventy-three (73) west; thence southerly on the range line between ranges seventy-three (73) and seventy-four (74) west to the northeast corner of section thirteen (13), township twelve (12) south, range seventy-four (74) west; thence westerly on the section line between sections twelve (12) and thirteen (13) and eleven (11) and fourteen (14) of said township and range to the quarter-section corner between said sections eleven (11) and fourteen (14); thence southerly through the middle of sections fourteen (14), twenty-three (23), and twenty-six (26) to the center of section twenty-six (26) of said township and range; thence easterly through the middle of sections twenty-six (26) and twenty-five (25) to the quarter-section corner on the range line between section twenty-five (25), township twelve (12) south, range seventy-four (74) west, and section thirty (30), township twelve (12) south, range seventy-three (73) west; thence southerly on said range line to the southwest corner of township twelve (12) south, range seventy-three (73) west; thence easterly on the township line between townships twelve (12) and thirteen (13) south to the southeast corner of township twelve (12) south, range seventy-three (73) west; thence southerly on the range line between ranges seventy-two (72) and seventy-three (73) west to the northeast corner of section twenty-four (24), township thirteen (13) south, range seventy-three (73) west; thence westerly on the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19) of said township and range; thence southerly on the range line between ranges seventy-three (73) and seventy-four (74) west to the quarter-section corner on the west boundary of section eighteen (18), township fourteen (14) south, range seventy-three (73) west; thence easterly through the middle of sections eighteen (18) and seventeen (17), sixteen (16), fifteen (15), fourteen (14), and thirteen (13), township fourteen (14) south, range seventy-three (73) west, and sections eighteen (18) and seventeen (17), township fourteen (14) south, range seventy-two (72) west, to the quarter-section corner between sections seventeen (17) and sixteen (16) of said last-named township and range; thence northerly on the section line

between sections sixteen (16) and seventeen (17) and eight (8) and nine (9) to the northeast corner of section eight (8) of said township and range; thence easterly on the section line between sections four (4) and nine (9), three (3) and ten (10), two (2) and eleven (11), and one (1) and twelve (12) to the southeast corner of section one (1) of said township and range; thence northerly on the range line between ranges seventy-one (71) and seventy-two (72) west to the southwest corner of township thirteen (13) south, range seventy-one (71) west; thence easterly on the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of section thirty-three (33), township thirteen (13) south, range seventy-one (71) west; thence northerly on the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) of said township and range, and between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4), township twelve (12) south, range seventy-one (71) west, and between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4), township eleven (11) south, range seventy-one (71) west, to the northeast corner of section four (4) of said last-named township and range; thence easterly on the second (2d) correction line south to the southeast corner of section thirty-three (33), township ten (10) south, range seventy-one (71) west; thence northerly on the section line between sections thirty-three (33) and thirty-four (34) of said township and range to the middle of the channel of the South Platte River; thence down the middle of the channel of the said river to its confluence with the North Fork of the South Platte River, the place of beginning, to be known as the South Platte Forest Reserve.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 9th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and particularly described as follows, to wit:

Beginning at the northeast corner of township three (3) north, range six (6) west of the San Bernardino meridian; thence westerly on the surveyed and unsurveyed township line between townships three (3) and four (4) north, ranges six (6) and seven (7) west, to the northeast corner of township three (3) north, range eight (8) west; thence northerly on the unsurveyed and surveyed range line between ranges seven (7) and (8) west to the northeast corner of section twenty-four (24), township four (4) north, range eight (8) west; thence westerly on the surveyed and unsurveyed section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) of said township and range to the point for the northwest corner of section nineteen (19) of said township and range; thence northerly on the unsurveyed and surveyed range line

between ranges eight (8) and nine (9) west to the northeast corner of township four (4) north, range nine (9) west; thence westerly on the township line between townships four (4) and five (5) north, range nine (9) west, to the southeast corner of township five (5) north, range ten (10) west; thence northerly on the range line between ranges nine (9) and ten (10) west to the northeast corner of section thirty-six (36) of said township and range; thence westerly on the section line between sections twenty-five (25) and thirty-six (36), twenty-six (26) and thirty-five (35), and twenty-seven (27) and thirty-four (34) to the southeast corner of section twenty-eight (28) of said township and range; thence northerly on the section line between sections twenty-seven (27) and twenty-eight (28) to the northeast corner of said section twenty-eight (28); thence westerly on the section line between sections twenty-one (21) and twenty-eight (28),twenty (20) and twenty-nine (29), and nineteen (19) and thirty (30) of said last-named township and range, and on the unsurveyed section line between sections twenty-four (24) and twenty-five (25), twenty-three (23) and twenty-six (26), twenty-two (22) and twenty-seven (27), twenty-one (21) and twenty-eight (28), twenty (20) and twenty-nine (29), and nineteen (19) and thirty (30), township five (5) north, range eleven (11) west, to the point for the northwest corner of section thirty (30) of said last-named township and range; thence southerly on the range line between ranges eleven (11) and twelve (12) west to the southeast corner of township five (5) north, range twelve (12) west; thence westerly on the township line between townships four (4) and five (5) north to the southwest corner of township five (5) north, range twelve (12) west; thence southerly on the range line between ranges twelve (12) and thirteen (13) west to the northeast corner of section twenty-four (24), township four (4) north, range thirteen (13) west; thence westerly on the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23),fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) of said township and range, and sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19), township four (4) north, range fourteen (14) west, to the northwest corner of section nineteen (19) of said last-named township and range; thence southerly on the surveyed and unsurveyed range line between ranges fourteen (14) and fifteen (15) west to the point for the southwest corner of township three (3) north, range fourteen (14) west; thence easterly on the unsurveyed township line between townships two (2) and three (3) north, range fourteen (14) west, to a point for the northwest corner of section four (4), township two (2) north, range fourteen (14) west; thence southerly on the unsurveyed section line between sections four (4) and five (5) to the point for the southwest corner of said section four (4); thence easterly on the unsurveyed

section line between sections four (4) and nine (9), three (3) and ten (10), two (2) and eleven (11), and one (1) and twelve (12) to a point for the southeast corner of section one (1) of said township and range; thence southerly on the range line between ranges thirteen (13) and fourteen (14) west to the southwest corner of section seven (7), township two (2) north, range thirteen (13) west; thence easterly on the surveyed and unsurveyed section line between sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and (13) to a point for the northeast corner of section thirteen (13) of said township and range; thence southerly on the range line between ranges twelve (12) and thirteen (13) west to the southwest corner of township two (2) north, range twelve (12) west; thence easterly on the surveyed and unsurveyed township line between townships one (1) and two (2) north, range twelve (12) west, to the point for the northwest corner of section one (1), township one (1) north, range twelve (12) west; thence southerly on the unsurveyed section line between sections one (1) and two (2) to the point for the southwest corner of said section one (1); thence easterly on the unsurveyed section line between sections one (1) and twelve (12) to the point for the southeast corner of said section one (1); thence southerly on the range line between ranges eleven (11) and twelve (12) west to the southwest corner of section seven (7), township one (1) north, range eleven (11) west; thence easterly on the section line between sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13) of said township and range, and sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13), township one (1) north, range ten (10) west, to the southeast corner of section twelve (12) of said last-named township and range; thence southerly on the range line between ranges nine (9) and ten (10) west to the southwest corner of section eighteen (18), township one (1) north, range nine (9) west; thence easterly on the section line between sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24) of said township and range, and sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township one (1) north, range eight (8) west, to the southeast corner of section thirteen (13) of said last-named township and range; thence northerly on the range line between ranges seven (7) and eight (8) west to the southwest corner of section seven (7), township one (1) north, range seven (7) west, thence easterly on the section line between sections seven (7) and eighteen

(18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13) of said township and range, and on the surveyed and unsurveyed section line between sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13), township one (1) north, range six (6) west, to the point for the southeast corner of section twelve (12) of said last-named township and range; thence northerly on the unsurveyed and surveyed range line between ranges five (5) and six (6) west to the northeast corner of township three (3) north, range six (6) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

UNITED STATES TROOPS EMBARKING AND ON TRANSPORT

LANDING TROOPS ON THE CUBAN SHORE.

General Shafter's army of 17,000 men was disembarked on the 22d, 23d and 24th days of June, 1898. The main landing place was Daiquiri, but Kent's division landed at Siboney. Two soldiers perished when a boat capsized. Considering the squally weather and the weight of the accoutrements carried by each man it is a wonder that more did not drown. At Daiquiri some of the boats were run up on the beach, so that the troops might wade ashore, while others ran up to a ramshackle old wharf, to which men jumped when the boat rose on a wave.

The men called the transports prisons, and the landing was a pleasure-seeking excursion. They sang in chorus to the rhythm of the oars, waded ashore with howls of triumph, stripped and hung their uniforms to dry before the fire, then plunged naked into the surf, still shouting and dancing. At night the searchlights of the fleet made the picturesque scene as light as day.

The article, "Spanish-American War," recites the history of the struggle briefly. President McKinley's wartime messages form the official history.

And whereas it is provided by section 14 of said above-mentioned act that the public lands in the Territory of Alaska reserved for public purposes shall not be subject to occupation and sale; and

Whereas the public lands in the Territory of Alaska known as Afognak Island are in part covered with timber and are required for public purposes in order that salmon fisheries in the waters of the island, and salmon and other fish and sea animals, and other animals and birds, and the timber, undergrowth, grass, moss, and other growth in, on, and about said island may be protected and preserved unimpaired, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation; and

Whereas the United States Commissioner of Fish and Fisheries has selected Afognak Bay, River, and Lake, with their tributary streams and the sources thereof, and the lands including the same on said Afognak Island and within 1 mile from the shores thereof, as a reserve for the purpose of establishing fish-culture stations and the use of the United States Commission of Fish and Fisheries, the boundary lines of which include the headsprings of the tributaries above mentioned and the lands the drainage of which is into the same:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by sections 24 and 14 of the aforesaid act of Congress and by other laws of the United States, do reserve and do hereby make known and proclaim that there is hereby reserved from occupation and sale and set apart as a public reservation, including use for fish-culture stations, said Afognak Island, Alaska, and its adjacent bays and rocks and territorial waters, including among others the Sea Lion Rocks and Sea Otter Island: *Provided*, That this proclamation shall not be so construed as to deprive any *bona fide* inhabitant of said island of any valid right he may possess under the treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the 30th day of March, 1867.

Warning is hereby expressly given to all persons not to enter upon or to occupy the tract or tracts of land or waters reserved by this proclamation, or to fish in or use any of the waters herein described or mentioned, and that all persons or corporations now occupying said island or any of said premises except under said treaty shall depart therefrom.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,

Secretary of State.

188

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Beginning at the northeast corner of township seven (7) south, range ninety-three (93) west of the sixth (6th) principal meridian; thence westerly along the township line between townships six (6) and seven (7) south to the northwest corner of township seven (7) south, range ninety-three (93) west; thence southerly along the range line between ranges ninety-three (93) and ninety-four (94) west to the northwest corner of section nineteen (19), township seven (7) south, range ninety-three (93) west; thence westerly along the unsurveyed section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19), township seven (7) south, range ninety-four (94) west, to the northwest corner of section nineteen (19) of said township and range; thence southerly along the range line between ranges ninety-four (94) and ninety-five (95) west to the northwest corner of township eight (8) south, range ninety-four (94) west; thence westerly along the township line between townships seven (7) and eight (8) south to the northwest corner of section three (3), township eight (8) south, range ninety-five (95) west; thence southerly along the section line between sections three (3) and four (4), nine (9) and ten (10), and fifteen (15) and sixteen (16) to the northwest corner of section twenty-two (22) of said township and range; thence westerly along the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen

(19) of said township and range, and sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), and fifteen (15) and twenty-two (22), township eight (8) south, range ninety-six (96) west, to the northwest corner of section twenty-two (22) of said township and range; thence southerly along the section line between sections twenty-one (21) and twenty-two (22), twenty-seven (27) and twenty-eight (28), and thirty-three (33) and thirty-four (34) of said township and range to the northwest corner of section three (3), township nine (9) south, range ninety-six (96) west; thence westerly along the township line between townships eight (8) and nine (9) south to the northwest corner of section three (3), township nine (9) south, range ninety-seven (97) west; thence southerly along the section line between sections three (3) and four (4), nine (9) and ten (10), fifteen (15) and sixteen (16), twenty-one (21) and twenty-two (22), twenty-seven (27) and twenty-eight (28), and thirty-three (33) and thirty-four (34) to the southwest corner of section thirty-four (34) of said township and range; thence easterly along the township line between townships nine (9) and ten (10) south to the southeast corner of township nine (9) south, range ninety-six (96) west; thence northerly along the range line between ranges ninety-five (95) and ninety-six (96) west to the southeast corner of section thirteen (13), township nine (9) south, range ninety-six (96) west; thence easterly along the section line between sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township nine (9) south, range ninety-five (95) west, to the southeast corner of section thirteen (13) of said township and range; thence northerly along the range line between ranges ninety-four (94) and ninety-five (95) west to the southeast corner of township eight (8) south, range ninety-five (95) west; thence easterly along the township line between townships eight (8) and nine (9) south to the southwest corner of township eight (8) south, range ninety-two (92) west; thence southerly along the range line between ranges ninety-two (92) and ninety-three (93) west to the southwest corner of township ten (10) south, range ninety-two (92) west; thence westerly along the second (2d) correction line south between townships ten (10) and eleven (11) south to the northwest corner of township eleven (11) south, range ninety-six (96) west; thence southerly along the range line between ranges ninety-six (96) and ninety-seven (97) west to the northwest corner of township twelve (12) south, range ninety-six (96) west; thence westerly along the township line between townships eleven (11) and twelve (12) south to the northwest corner of fractional section two (2), fractional township twelve (12) south, fractional range ninety-eight (98) west; thence southerly along the range line between fractional range ninety-eight (98) west of the sixth (6th) principal meridian and range two (2) east of the Ute principal meridian to the southwest corner of fractional section thirty-five

(35), fractional township thirteen (13) south, fractional range ninety-eight (98) west of the sixth (6th) principal meridian; thence easterly along the township line between township thirteen (13) and fractional township fourteen (14) south to the southwest corner of township thirteen (13) south, range ninety-six (96) west; thence southerly along the range line between ranges ninety-six (96) and ninety-seven (97) west to the southwest corner of township fourteen (14) south, range ninety-six (96) west; thence easterly along the township line between townships fourteen (14) and fifteen (15) south to the southeast corner of section thirty-three (33), township fourteen (14) south, range ninety-five (95) west; thence northerly along the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4), townships fourteen (14) and thirteen (13) south, range ninety-five (95) west, and sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), and twenty-one (21) and twenty-two (22), township twelve (12) south, range ninety-five (95) west, to the southeast corner of section sixteen (16) of said township and range; thence easterly along the section line between sections fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township twelve (12) south, range ninety-five (95) west, and sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township twelve (12) south, range (94) west, to the southwest corner of section eighteen (18), township twelve (12) south, range ninety-three (93) west; thence southerly along the range line between ranges ninety-three (93) and ninety-four (94) west to the southwest corner of township twelve (12) south, range ninety-three (93) west; thence easterly along the township line between townships twelve (12) and thirteen (13) south to the southeast corner of township twelve (12) south, range ninety-two (92) west; thence northerly along the range line between ranges ninety-one (91) and ninety-two (92) west to the southeast corner of township eleven (11) south, range ninety-two (92) west; thence easterly along the township line between townships eleven (11) and twelve (12) south to the southwest corner of township eleven (11) south, range ninety (90) west; thence southerly along the range line between ranges ninety (90) and ninety-one (91) west to the southwest corner of township twelve (12) south, range ninety (90) west; thence easterly along the township line between townships twelve (12) and thirteen (13) south to the southeast corner of township twelve (12) south, range eighty-nine (89) west; thence northerly along the surveyed and unsurveyed range line between ranges eighty-eight (88) and eighty-nine (89) west to the northeast corner of township eleven (11) south, range eighty-nine (89) west; thence easterly along the second (2d) cor-

rection line south to the southeast corner of township ten (10) south, range eighty-nine (89) west; thence northerly along the range line between ranges eighty-eight (88) and eighty-nine (89) west to the northeast corner of township nine (9) south, range eighty-nine (89) west; thence westerly along the township line between townships eight (8) and nine (9) south to the northeast corner of township nine (9) south, range ninety (90) west; thence northerly along the range line between ranges eighty-nine (89) and ninety (90) west to the northeast corner of township eight (8) south, range ninety (90) west; thence westerly along the surveyed and unsurveyed township line between townships seven (7) and eight (8) south to the northeast corner of township eight (8) south, range ninety-three (93) west; thence northerly along the range line between ranges ninety-two (92) and ninety-three (93) west to the northeast corner of township seven (7) south, range ninety-three (93) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Salvador the action

of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the minister for foreign affairs for the Republic of Salvador has communicated to the envoy extraordinary and minister plenipotentiary of the United States to Salvador that the Congress of Salvador has by due legal enactment authorized the executive power to conclude a definitive commercial arrangement with the United States to supersede the existing provisional arrangement; and

Whereas, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Salvador will admit free of all duty from and after December 31, 1892, into all the established ports of entry of Salvador the articles or merchandise named in the following schedule, provided that the same is the manufacture or product of the United States:

PRODUCTS AND MANUFACTURES OF THE UNITED STATES TO BE ADMITTED INTO SALVADOR FREE OF CUSTOMS DUTIES AND OF ALL CHARGES, WHETHER NATIONAL OR PROVINCIAL.

1. Cotton-seed oil.
2. Live animals.
3. Tar, vegetable and mineral.
4. Wire, barbed, and staples for fences.
5. Apparatus for distilling liquors.
6. Plows, cultivators, hoes, axes, machetes, shovels, and rakes.
7. Quicksilver.
8. Barrels, casks, and tanks of iron for water.
9. Mineral ores.
10. Boats, lighters, tackle, anchors, chains, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.
11. Coal, mineral.
12. Roman cement and hydraulic lime.
13. Kettles for making salt.
14. Wooden staves, barrel heads and hoops.
15. Houses of wood and iron, complete and in parts.
16. Beans, potatoes, and onions.
17. Fruits, fresh.
18. Guano and other fertilizers, natural and artificial.
19. Guys for mining purposes.
20. Hay and straw for forage.
21. Furnaces and instruments for assaying metals.
22. Scientific instruments.
23. Loadstones.
24. Bricks, fire bricks, and crucibles for melting.
25. Hops.
26. Printed books, pamphlets and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
27. Corn, rice, barley, and rye.
28. Marble, dressed, for furniture, statues, fountains, gravestones, and building purposes.

29. Machinery of all kinds, including sewing machines, and separate or extra parts for the same.

30. Materials of all kinds for the construction and operation of railroads.

31. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.

32. Materials of all kinds for lighting by electricity and gas.

33. Materials of all kinds for the construction of wharves in ports, lakes, or rivers.

34. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, and flooring.

35. Molds for making sugar.

36. Models of machinery and buildings.

37. Printing materials, including presses, ink, and all other accessories.

38. Samples of merchandise the duties on which do not exceed $1.

39. Gold and silver in bars, dust, or coin.

40. Preparations of flour in biscuits, crackers, not sweetened, macaroni, vermicelli, and tallarin.

41. Plates of iron for building purposes.

42. Kettles for making sugar.

43. Sulphate of quinine.

44. Tubes of iron and all other accessories for water supply.

45. Wagons, carts, and carriages of all kinds, and separate parts for the same.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And whereas the Government of Salvador has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer nor undue restrictions on the articles imported; and

Whereas the envoy extraordinary and minister plenipotentiary of the United States to Salvador has informed the Government of Salvador that its action in granting freedom of duties to the products and manufactures of the United States of America on their importation into Salvador is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Salvador to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 27th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas Congress by a statute approved March 22, 1882, and by statutes in furtherance and amendment thereof defined the crimes of bigamy, polygamy, and unlawful cohabitation in the Territories and other places within the exclusive jurisdiction of the United States and prescribed a penalty for such crimes; and

Whereas on or about the 6th day of October, 1890, the Church of the Latter-day Saints, commonly known as the Mormon Church, through its president issued a manifesto proclaiming the purpose of said church no longer to sanction the practice of polygamous marriages and calling upon all members and adherents of said church to obey the laws of the United States in reference to said subject-matter; and

Whereas it is represented that since the date of said declaration the members and adherents of said church have generally obeyed said laws and have abstained from plural marriages and polygamous cohabitation; and

Whereas by a petition dated December 19, 1891, the officials of said church, pledging the membership thereof to a faithful obedience to the laws against plural marriage and unlawful cohabitation, have applied to me to grant amnesty for past offenses against said laws, which request a very large number of influential non-Mormons residing in the Territories have also strongly urged; and

Whereas the Utah Commission in their report bearing date September 15, 1892, recommend that said petition be granted and said amnesty proclaimed, under proper conditions as to the future observance of the law, with a view to the encouragement of those now disposed to become law-abiding citizens; and

Whereas during the past two years such amnesty has been granted to individual applicants in a very large number of cases, conditioned upon the faithful observance of the laws of the United States against unlawful cohabitation, and there are now pending many more such applications:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the powers in me vested, do hereby declare and grant a full amnesty and pardon to all persons liable to the penalties of said act by reason of unlawful cohabitation under the color of polygamous or plural marriage who have since November 1, 1890, abstained from such unlawful cohabitation, but upon the express condition that they shall in the future faithfully obey the laws of the United States hereinbefore named, and not otherwise. Those who shall fail to avail themselves of the clemency hereby offered will be vigorously prosecuted.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of January, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit:

Beginning at the northeast corner of township five (5) south, range thirty (30) east, on the first (1st) standard parallel south, Mount Diablo meridian, California; thence westerly along said first (1st) standard parallel to the northwest corner of township five (5) south, range twenty-one (21) east; thence southerly on the range line between ranges twenty (20) and twenty-one (21) east to the southwest corner of township six (6) south, range twenty-one (21) east; thence easterly on the township line between townships six (6) and seven (7) south to the southeast corner of township six (6) south, range twenty-one (21) east; thence southerly on the range line between ranges twenty-one (21) and twenty-two (22) east to the southwest corner of township seven (7) south, range twenty-two (22) east; thence easterly along the township line between townships seven (7) and eight (8) south to the southeast corner of township seven (7) south, range twenty-two (22) east; thence southerly along the

range line between ranges twenty-two (22) and twenty-three (23) east to the southwest corner of township eight (8) south, range twenty-three (23) east; thence easterly along the second (2d) standard parallel south to the northeast corner of township nine (9) south, range twenty-three (23) east; thence southerly along the unsurveyed and surveyed range line between ranges twenty-three (23) and twenty-four (24) east to the southwest corner of township nine (9) south, range twenty-four (24) east; thence easterly along the township line between townships nine (9) and ten (10) south to the southeast corner of township nine (9) south, range twenty-four (24) east; thence southerly along the range line between ranges twenty-four (24) and twenty-five (25) east to the southwest corner of township ten (10) south, range twenty-five (25) east; thence easterly along the township line between townships ten (10) and eleven (11) south to the southeast corner of township ten (10) south, range twenty-five (25) east; thence southerly along the unsurveyed and surveyed range line between ranges twenty-five (25) and twenty-six (26) east to the southwest corner of township twelve (12) south, range twenty-six (26) east; thence easterly along the third (3d) standard parallel south to the northwest corner of township thirteen (13) south, range twenty-seven (27) east; thence southerly along the range line between ranges twenty-six (26) and twenty-seven (27) east to the southwest corner of township thirteen (13) south, range twenty-seven (27) east; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of township thirteen (13) south, range twenty-seven (27) east; thence northerly along the boundary line of "General Grant National Park" to the northwest corner, easterly to the northeast corner, southerly to the southeast corner, and westerly to the southwest corner of said park; thence southerly along the range line between ranges twenty-seven (27) and twenty-eight (28) east to the southwest corner of township fourteen (14) south, range twenty-eight (28) east; thence easterly along the township line between townships fourteen (14) and fifteen (15) south to the southwest corner of township fourteen (14) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the fourth (4th) standard parallel south; thence westerly along said fourth (4th) standard parallel to the northwest corner of township seventeen (17) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the southwest corner of township seventeen (17) south, range thirty-one (31) east; thence easterly along the township line between townships seventeen (17) and eighteen (18) south to the southeast corner of township seventeen (17) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty-one (31) and thirty-two (32) east to the southwest corner of township eighteen (18) south, range thirty-two (32) east; thence westerly along the township line between townships

eighteen (18) and nineteen (19) south to the northwest corner of township nineteen (19) south, range thirty (30) east; thence southerly along the range line between ranges twenty-nine (29) and thirty (30) east to the fifth (5th) standard parallel south; thence westerly along said fifth (5th) standard parallel to the northwest corner of township twenty-one (21) south, range thirty (30) east; thence southerly along the range line between ranges twenty-nine (29) and thirty (30) east to a point on said range line where it intersects the northern boundary line of the "Tule River Indian Reservation;" thence easterly and northeasterly along the northern boundary line of said reservation to the northeast corner thereof, located in the southwest quarter of section twenty-one (21), township twenty-one (21) south, range thirty-one (31) east; thence southerly along the eastern boundary of said reservation to the southeast corner thereof, located in the northwest quarter of section thirty-three (33), township twenty-two (22) south, range thirty-one (31) east; thence westerly and southwesterly along the southern boundary of said reservation to a point where it is intersected by the range line between ranges twenty-nine (29) and thirty (30) east; thence southerly along said range line to the southwest corner of township twenty-three (23) south, range thirty (30) east; thence easterly along the township line between townships twenty-three (23) and twenty-four (24) south to the southeast corner of township twenty-three (23) south, range thirty (30) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the sixth (6th) standard parallel south; thence westerly along said sixth (6th) standard parallel to the northwest corner of township twenty-five (25) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the southwest corner of township twenty-six (26) south, range thirty-one (31) east; thence westerly along the township line between townships twenty-six (26) and twenty-seven (27) south to the northwest corner of township twenty-seven (27) south, range thirty (30) east; thence southerly along the range line between ranges twenty-nine (29) and thirty (30) east to the seventh (7th) standard parallel south; thence easterly along said seventh (7th) standard parallel to the southeast corner of township twenty-eight (28) south, range thirty-seven (37) east; thence northerly along the range line between ranges thirty-seven (37) and thirty-eight (38) east to the sixth (6th) standard parallel south; thence easterly along said sixth (6th) standard parallel to the southeast corner of township twenty-four (24) south, range thirty-seven (37) east; thence northerly along the range line between ranges thirty-seven (37) and thirty-eight (38) east to the northeast corner of township twenty-four (24) south, range thirty-seven (37) east; thence easterly along the township line between townships twenty-three (23) and twenty-four (24) south to the southeast corner of township twenty-three (23) south, range thirty-seven (37) east; thence northerly along the range line between

ranges thirty-seven (37) and thirty-eight (38) east to the fifth (5th) standard parallel south; thence westerly along said fifth (5th) standard parallel south to the southeast corner of section thirty-one (31), township twenty (20) south, range thirty-seven (37) east; thence northerly along the western boundary line of sections thirty-two (32), twenty-nine (29), twenty (20), seventeen (17), eight (8), and five (5) to the northwest corner of section five (5) in said township and range; thence westerly along the township line between townships nineteen (19) and twenty (20) south to the southeast corner of township nineteen (19) south, range thirty-six (36) east; thence northerly along the range line between ranges thirty-six (36) and thirty-seven (37) east to the quarter-section corner on the east line of section thirty-six (36), township nineteen (19) south, range thirty-six (36) east, westerly on a line through the centers of sections thirty-six (36) and thirty-five (35) to the center of section thirty-five (35), northerly on a line through the centers of sections thirty-five (35), twenty-six (26), twenty-three (23), and fourteen (14) to the center of section fourteen (14), easterly on a line through the center of section fourteen (14) to the quarter-section corner between said section fourteen (14) and section thirteen (13), and northerly along the section lines on the west boundary of sections thirteen (13), twelve (12), and one (1) to the northwest corner of section one (1), all of said township and range; thence northerly along the section lines on the west boundary of sections thirty-six (36) and twenty-five (25), township eighteen (18) south, range thirty-six (36) east, to the northwest corner of said section twenty-five (25), easterly along the section line between sections twenty-four (24) and twenty-five (25) to the quarter-section corner between said sections, northerly through the centers of sections twenty-four (24) and thirteen (13) to the quarter-section corner between sections thirteen (13) and twelve (12), westerly along the section line to the southwest corner of section twelve (12), and northerly along the section lines on the west boundary of sections twelve (12) and one (1) to the northwest corner of section one (1) of said township and range; thence northerly along the section line on the west boundary of section thirty-six (36), township seventeen (17) south, range thirty-six (36) east, to the quarter-section corner between sections thirty-five (35) and thirty-six (36), westerly to the center of section thirty-five (35), northerly on a line through the centers of sections thirty-five (35), twenty-six (26), twenty-three (23), fourteen (14), and eleven (11) to the quarter-section corner between sections eleven (11) and two (2), westerly along the section line to the southwest corner of section two (2), and northerly along the section line to the northwest corner of section two (2), all of said township and range; thence westerly along the surveyed and unsurveyed line of the fourth (4th) standard parallel south to the southwest corner of township sixteen (16) south, range thirty-four (34) east; thence northerly along the range line between ranges thirty-three (33) and thirty-four

(34) east to the northwest corner of township fifteen (15) south, range thirty-four (34) east; thence easterly along the township line between townships fourteen (14) and fifteen (15) south to the southwest corner of township fourteen (14) south, range thirty-five (35) east; thence northerly on the range line between ranges thirty-four (34) and thirty-five (35) east to the northwest corner of township fourteen (14) south, range thirty-five (35) east; thence westerly along the township line between townships thirteen (13) and fourteen (14) south to the southwest corner of section thirty-five (35), township thirteen (13) south, range thirty-four (34) east, northerly along the section line to the quarter-section corner between sections thirty-four (34) and thirty-five (35), westerly to the center of section thirty-four (34), northerly on a line through the centers of sections thirty-four (34) and twenty-seven (27) to the center of section twenty-seven (27), easterly through section twenty-seven (27) to the quarter-section corner between sections twenty-seven (27) and twenty-six (26), northerly along the section lines on the west boundary of sections twenty-six (26), twenty-three (23), fourteen (14), eleven (11), and two (2) to the northwest corner of west lot one (1) in section two (2), easterly to the southwest corner of the east lot two (2) in section two (2), and northerly to the northwest corner of the west half of east lot six (6), section two (2), all of said township and range; thence westerly along the third (3d) standard parallel south to the southwest corner of section thirty-four (34), township twelve (12) south, range thirty-four (34) east, northerly along the section line to the quarter-section corner between sections thirty-four (34) and thirty-three (33), westerly to the center of section thirty-three (33), northerly to the quarter-section corner between sections thirty-three (33) and twenty-eight (28), westerly on the section line to the southwest corner of section twenty-eight (28), northerly along the section lines on the west boundary of sections twenty-eight (28), twenty-one (21), sixteen (16), nine (9), and four (4) to the quarter-section corner between sections four (4) and five (5), westerly to the center of section five (5), and northerly to the quarter-section corner on the north boundary of said section five (5), all of said township and range; thence westerly along the township line between townships eleven (11) and twelve (12) south to the southwest corner of section thirty-two (32), township eleven (11) south, range thirty-four (34) east, northerly along the section lines on the west boundary of sections thirty-two (32), twenty-nine (29), twenty (20), seventeen (17), and eight (8) to the quarter-section corner between sections seven (7) and eight (8), westerly on a line through the center of section seven (7), township eleven (11) south, range thirty-four (34) east, and sections twelve (12) and eleven (11), township eleven (11) south, range thirty-three (33) east, to the center of said section eleven (11), and northerly on a central line through sections eleven (11) and two (2) to the quarter-section corner on the north line of section two (2), township eleven (11) south, range thirty-three

(33) east; thence westerly on the township line between townships ten (10) and eleven (11) south to the southwest corner of section thirty-five (35), township ten (10) south, range thirty-three (33) east, northerly to the quarter-section corner between sections thirty-five (35) and thirty-four (34), westerly to the center of section thirty-four (34), northerly on a line through the centers of sections thirty-four (34), twenty-seven (27), and twenty-two (22) to the center of section twenty-two (22), easterly to the center of section twenty-three (23), northerly through the centers of sections twenty-three (23), fourteen (14), and eleven (11) to the center of section eleven (11), easterly to the quarter-section corner between sections eleven (11) and twelve (12), northerly along the section line to the northwest corner of section twelve (12), easterly along the section line to the quarter-section corner between sections twelve (12) and one (1), northerly to the center of section one (1), easterly to the quarter-section corner on the east line of section one (1), and northerly to the northeast corner of section one (1), all of said township and range; thence westerly along the unsurveyed township line between townships ten (10) and nine (9) south to the southeast corner of township nine (9) south, range thirty-two (32) east; thence northerly along the range line between ranges thirty-two (32) and thirty-three (33) east to the northeast corner of township nine (9) south, range thirty-two (32) east; thence westerly along the second (2d) standard parallel south to the southeast corner of township eight (8) south, range thirty-one (31) east; thence northerly along the surveyed and unsurveyed range line between ranges thirty-one (31) and thirty-two (32) east to the northeast corner of township eight (8) south, range thirty-one (31) east; thence westerly along the township line between townships seven (7) and eight (8) south to the southeast corner of township seven (7) south, range thirty (30) east; thence northerly along the range line between ranges thirty (30) and thirty-one (31) east to the northeast corner of township five (5) south, range thirty (30) east, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and the rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 14th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Washington within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Washington and within the boundaries particularly described as follows, to wit:

Beginning at the southwest corner of township thirteen (13) north, range fifteen (15) east of the Willamette base and meridian; thence northerly along the surveyed and unsurveyed range line between ranges fourteen (14) and fifteen (15) east, subject to the proper easterly or westerly offset on the fourth (4th) standard parallel north, to the point for the northeast corner of township eighteen (18) north, range fourteen (14) east; thence westerly along the unsurveyed township line between townships eighteen (18) and nineteen (19) north to the southeast corner of township nineteen (19) north, range seven (7) east; thence southerly along the unsurveyed range line between ranges seven (7) and eight (8) east, subject to the proper easterly or westerly offsets on the township line between townships seventeen (17) and eighteen (18) north, and the fourth (4th) standard parallel north to the point for the southwest corner of township thirteen (13) north, range eight (8) east; thence easterly along the unsurveyed township line between townships twelve (12) and

thirteen (13) north to the southwest corner of township thirteen (13) north, range fifteen (15) east, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the Territory of Arizona within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in

the Territory of Arizona and within the boundaries particularly described as follows, to wit:

Beginning at the point of intersection of the parallel of thirty-six (36) degrees thirty (30) minutes north latitude with the meridian of one hundred and eleven (111) degrees forty-five (45) minutes of longitude west from Greenwich; thence westerly along said parallel of latitude to its intersection with the meridian of one hundred and twelve (112) degrees forty-five (45) minutes west longitude; thence southerly along said meridian of longitude to its intersection with the parallel of thirty-five (35) degrees forty-five (45) minutes north latitude; thence easterly along said parallel of latitude to its intersection with the meridian of one hundred and eleven (111) degrees forty-five (45) minutes west longitude; thence northerly along said meridian of longitude to its intersection with the parallel of thirty-six (36) degrees thirty (30) minutes north latitude, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by my proclamation of August 18, 1892,* and in pursuance of the authority conferred on me by an act of Congress approved July 26, 1892, entitled "An act to enforce the reciprocal commercial relations

* See pp. 5725-5727.

between the United States and Canada, and for other purposes," I directed "that from and after September 1, 1892, until further notice a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations," and to that extent thereby suspended "from and after said date the right of free passage through said St. Marys Falls Canal of any and all cargoes or portions of cargoes in transit to Canadian ports;" and

Whereas the above order was issued in consequence of the imposition by the government of the Dominion of Canada of a discriminating toll whereby unjust and unreasonable burdens were placed, in violation of Article XXVII of the treaty of Washington, upon the carrying of passengers and cargoes through the Welland Canal in transit to ports of the United States, as is fully set forth in the said proclamation; and

Whereas by an order in council dated February 13, 1893, the Governor-General of the Dominion of Canada has directed that—

For the season of 1893 the canal tolls for the passage of the following food products, wheat, Indian corn, pease, barley, rye, oats, flaxseed, and buckwheat, for passage eastward through the Welland Canal be 10 cents per ton, and for passage westward through the St. Lawrence canals only 10 cents per ton; payment of the said toll of 10 cents per ton for passage through the Welland Canal to entitle these products to free passage through the St. Lawrence canals.

And whereas I have received satisfactory assurances that this order revokes during the season of 1893 the discriminating provisions above referred to and secures to citizens of the United States equality with British subjects as regards the use of said canals:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the said act of Congress approved July 26, 1892, do hereby declare and proclaim that from and after the date hereof and until further notice the provisions of my said proclamation of August 18, 1892,* are suspended in so far as they direct that a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 21st day of February, 1893, and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

* See pp. 5725–5727.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit:

Beginning at the northeast corner of section thirteen (13), township five (5) south, range six (6) west, of the San Bernardino base and meridian; thence westerly along the surveyed and unsurveyed section line to the point for the southwest corner of section ten (10), said township and range; thence northerly along the surveyed and unsurveyed section line to the northwest corner of section three (3), said township and range; thence westerly along the surveyed and unsurveyed township line to the point for the northwest corner of section three (3), township five (5) south, range seven (7) west; thence southerly along the surveyed and unsurveyed section line to the southeast corner of section thirty-three (33), said township and range; thence easterly along the surveyed and unsurveyed township line to the northeast corner of township six (6) south, range seven (7) west; thence southerly to the southwest corner of township five (5) south, range six (6) west; thence easterly to the point for the quarter-section corner on the north line of section six (6), township six (6) south, range six (6) west; thence southerly on a central line to the center of section nineteen (19), said township and range; thence easterly to the quarter-section corner on the east boundary of said section nineteen (19); thence southerly on the section line to the point of intersection with the north boundary of the "Rancho Mission Viejo or La Paz;" thence in a southeasterly direction along said boundary line to the point of intersection with the township line between townships six (6) and seven (7) south; thence easterly

along said township line to the southeast corner of township six (6) south, range six (6) west; thence northerly along the range line between ranges five (5) and six (6) west to the northeast corner of section thirteen (13), township five (5) south, range six (6) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States,

by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit:

Beginning at the northwest corner of township three (3) north, range five (5) west, San Bernardino meridian, California; thence southerly along the surveyed and unsurveyed range line between ranges five (5) and six (6) west to the northwest corner of section eighteen (18), township one (1) north, range five (5) west; thence easterly along the section line between sections seven (7) and eighteen (18) to the western boundary of the "Rancho Muscupiabe;" thence easterly, following the western and northern boundary of said rancho, to the point where said boundary intersects the section line between sections nineteen (19) and thirty (30), township one (1) north, range three (3) west; thence easterly along the section lines to the northeast corner of section twenty-five (25), said township and range; thence southerly along the range line between ranges two (2) and three (3) west to the San Bernardino base line; thence easterly along said base line to the northeast corner of section four (4), township one (1) south, range two (2) west, southerly along the unsurveyed and surveyed section lines to the northeast corner of section (16), easterly along the section lines to the northeast corner of section thirteen (13), and southerly to the southeast corner of section thirteen (13), all of said township and range; thence easterly to a point for the center of township one (1) south, range one (1) west; thence southerly to a point for the southwest corner of section thirty-four (34) in said township and range; thence easterly along the surveyed and unsurveyed township line between townships one (1) and two (2) south to the San Bernardino meridian; thence southerly along said meridian to the northeast corner of township three (3) south, range one (1) west; thence easterly through the Maronge Indian Reservation to the southeast corner of township two (2) south, range three (3) east; thence northerly along the surveyed and unsurveyed range line to the northeast corner of said township; thence easterly to a point for the southeast corner of township one (1) south, range four (4) east; thence northerly along the surveyed and unsurveyed range line between ranges four (4) and five (5) east to the northeast corner of section twenty-four (24), township three (3) north, range four (4) east; thence westerly along the surveyed and unsurveyed section lines to the southwest corner of section eighteen (18), township three (3) north, range (3) east; thence northerly along the range line between ranges two (2) and three (3) east to the northeast corner of township three (3) north, range two (2) east; thence westerly along the township line between townships three (3) and four (4) north to the northwest corner of township three (3) north, range (5) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas public interests require that the Senate should be convened at 12 o'clock on the 4th day of March next to receive such communications as may be made by the Executive:

Now, therefore, I, Benjamin Harrison, President of the United States, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the city of Washington, on the 4th day of March next, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, this 25th day of February, A. D. 1893, and of the Independence of the United States of America the one hundred and seventeenth.

[SEAL.]

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

JANUARY 5, 1893.

Section 2 of Postal Rule I is hereby amended so as to read as follows:

The classification of the postal service made by the Postmaster-General under section 6 of the act of January 16, 1883, is hereby extended to all free-delivery post-offices; and hereafter whenever any post-office becomes a free-delivery office the said classification or any then existing classification made by the Postmaster-General under said section and act shall apply thereto; and the Civil Service Commission shall provide examinations to test the fitness of persons to fill vacancies in all free-delivery post-offices, and these rules shall be in force therein; but this shall not include any post-office made an experimental free-delivery office under the authority contained in the appropriation act of March 3, 1891. Every revision of the classification of any post-office under section 6 of the act of January 16, 1883, and every inclusion of a post-office within the classified postal service shall be reported to the President.

BENJ. HARRISON.

GENERAL ORDERS, NO. 4.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, January 19, 1893.

I. The following proclamation [order] has been received from the President:

EXECUTIVE MANSION,
Washington, D. C., January 18, 1893.

To the People of the United States:

The death of Rutherford B. Hayes, who was President of the United States from March 4, 1877, to March 4, 1881, at his home in Fremont, Ohio, at 11 p. m. yesterday, is an event the announcement of which will be received with very general and very sincere sorrow. His public service extended over many years and over a wide range of official duty. He was a patriotic citizen, a lover of the flag and of our free institutions, an industrious and conscientious civil officer, a soldier of dauntless courage, a loyal comrade and friend, a sympathetic and helpful neighbor, and the honored head of a happy Christian home. He has steadily grown in the public esteem, and the impartial historian will not fail to recognize the conscientiousness, the manliness, and the courage that so strongly characterized his whole public career.

As an expression of the public sorrow it is ordered that the Executive Mansion and the several Executive Departments at Washington be draped in mourning and the flags thereon placed at half-staff for a

period of thirty days, and that on the day of the funeral all public business in the Departments be suspended, and that suitable military and naval honors, under the orders of the Secretaries of War and of the Navy, be rendered on that day.

Done at the city of Washington, this 18th day of January, A. D. 1893, and of the Independence of the United States of America the one hundred and seventeenth.

[SEAL.]

BENJ. HARRISON.

By the President.

JOHN W. FOSTER, *Secretary of State.*

II. In compliance with the instructions of the President, on the day of the funeral, at each military post, the troops and cadets will be paraded and this order read to them, after which all labors of the day will cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired, and afterwards at intervals of thirty minutes between the rising and setting of the sun a single gun, and at the close of the day a national salute of forty-four guns.

The officers of the Army will wear crape on the left arm and on their swords and the colors of the Battalion of Engineers, of the several regiments, and of the United States Corps of Cadets will be put in mourning for a period of six months.

The date of the funeral will be communicated to department commanders by telegraph, and by them to their subordinate commanders.

By command of Major-General Schofield:

R. WILLIAMS, *Adjutant-General.*

GENERAL ORDER No. 406.

NAVY DEPARTMENT,
Washington, D. C., January 19, 1893.

The President of the United States announces the death of ex-President Rutherford B. Hayes in the following proclamation [order]:

[For order see preceding page.]

It is hereby directed, in pursuance of the instructions of the President, that on the day of the funeral, where this order may be received in time, otherwise on the day after its receipt, the ensign at each naval station and of each of the vessels of the United States Navy in commission be hoisted at half-mast from sunrise to sunset, and at each naval station and on board of flagships and vessels acting singly a gun be fired at intervals of every half hour from sunrise to sunset.

The officers of the Navy and Marine Corps will wear the usual badge of mourning attached to the sword hilt and on the left arm for a period of thirty days.

JAMES R. SOLEY,
Acting Secretary of the Navy.

EXECUTIVE MANSION,
Washington, January 27, 1893.

To the People of the United States:

It is my painful duty to announce to the people of the United States the death of James Gillespie Blaine, which occurred in this city to-day at 11 o'clock.

For a full generation this eminent citizen has occupied a conspicuous and influential position in the nation. His first public service was in the legislature of his State. Afterwards for fourteen years he was a member of the national House of Representatives, and was three times chosen its Speaker. In 1876 he was elected to the Senate. He resigned his seat in that body in 1881 to accept the position of Secretary of State in the Cabinet of President Garfield. After the tragic death of his chief he resigned from the Cabinet, and, devoting himself to literary work, gave to the public in his Twenty Years of Congress a most valuable and enduring contribution to our political literature. In March, 1889, he again became Secretary of State, and continued to exercise this office until June, 1892. His devotion to the public interests, his marked ability, and his exalted patriotism have won for him the gratitude and affection of his countrymen and the admiration of the world. In the varied pursuits of legislation, diplomacy, and literature his genius has added new luster to American citizenship.

As a suitable expression of the national appreciation of his great public services and of the general sorrow caused by his death, I direct that on the day of his funeral all the Departments of the executive branch of the Government at Washington be closed, and that on all public buildings throughout the United States the national flag shall be displayed at half-staff, and that for a period of thirty days the Department of State be draped in mourning.

Done at the city of Washington, this 27th day of January, A. D. 1893, and of the Independence of the United States of America the one hundred and seventeenth.

[SEAL.]

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

QUESTIONS.

1. What advantage have European vessels over American? Page 5491.

2. What law did President Benjamin Harrison say had created enough new industries to employ several hundred thousand workingmen and women? Page 5627.

3. Why did the United States protest to Russia on behalf of persecuted Jews? Page 5623.

4. When was the Centennial Celebration? Page 5453. (Also in Cleveland's administration, page 5371.)

5. What accident befell three of our naval vessels at Samoan Islands? Page 5479.

6. What did Harrison say about the Disability Pension Act? Pages 5484, 5550, 5552, 5639, 5762.

7. When was the Sherman Silver Law passed? Pages 5548, 5628. (See also Sherman Act, Encyclopedic Index.)

SUGGESTIONS.

The International Copyright Law was passed in 1891. See Harrison's discussion, pages 5582, 5713, 5736. (See also Copyright, Encyclopedic Index.)

The tariff was one of the more important features of Harrison's administration, the McKinley Tariff Act being passed in 1890. Pages 5473, 5556, 5626, 5744. (See also Tariff, Encyclopedic Index.)

An important *modus vivendi* was agreed to between the United States and Great Britain regarding the Behring Sea fisheries. Page 5581.

Read Harrison's Foreign Policy. Pages 5445, 5618, 5750, 5783.

NOTE.

For further suggestions on Harrison's administration see Harrison, Benjamin, Encyclopedic Index.

By reading the Foreign Policy of each President, and by scanning the messages as to the state of the nation, a thorough knowledge of the history of the United States will be acquired from the most authentic sources; because, as has been said, "Each President reviews the past, depicts the present and forecasts the future of the nation."

Grover Cleveland

March 4, 1893, to March 4, 1897

SEE ENCYCLOPEDIC INDEX.

The Encyclopedic Index is not only an index to the other volumes, not only a key that unlocks the treasures of the entire publication, but it is in itself an alphabetically arranged brief history or story of the great controlling events constituting the History of the United States.

Under its proper alphabetical classification the story is told of every great subject referred to by any of the Presidents in their official Messages, and at the end of each article the official utterances of the Presidents themselves are cited upon the subject, so that you may readily turn to the page in the body of the work itself for this original information.

Next to the possession of knowledge is the ability to turn at will to where knowledge is to be found.

Grover Cleveland

[For portrait and biographical sketch see pp. 4882 and 4884.]

INAUGURAL ADDRESS.

My Fellow-Citizens: In obedience to the mandate of my countrymen I am about to dedicate myself to their service under the sanction of a solemn oath. Deeply moved by the expression of confidence and personal attachment which has called me to this service, I am sure my gratitude can make no better return than the pledge I now give before God and these witnesses of unreserved and complete devotion to the interests and welfare of those who have honored me.

I deem it fitting on this occasion, while indicating the opinions I hold concerning public questions of present importance, to also briefly refer to the existence of certain conditions and tendencies among our people which seem to menace the integrity and usefulness of their Government.

While every American citizen must contemplate with the utmost pride and enthusiasm the growth and expansion of our country, the sufficiency of our institutions to stand against the rudest shocks of violence, the wonderful thrift and enterprise of our people, and the demonstrated superiority of our free government, it behooves us to constantly watch for every symptom of insidious infirmity that threatens our national vigor.

The strong man who in the confidence of sturdy health courts the sternest activities of life and rejoices in the hardihood of constant labor may still have lurking near his vitals the unheeded disease that dooms him to sudden collapse.

It can not be doubted that our stupendous achievements as a people and our country's robust strength have given rise to heedlessness of those laws governing our national health which we can no more evade than human life can escape the laws of God and nature.

Manifestly nothing is more vital to our supremacy as a nation and to the beneficent purposes of our Government than a sound and stable currency. Its exposure to degradation should at once arouse to activity the most enlightened statesmanship, and the danger of depreciation in the purchasing power of the wages paid to toil should furnish the strongest incentive to prompt and conservative precaution.

In dealing with our present embarrassing situation as related to this subject we will be wise if we temper our confidence and faith in our national strength and resources with the frank concession that even these will not permit us to defy with impunity the inexorable laws of finance and trade. At the same time, in our efforts to adjust differences of opinion we should be free from intolerance or passion, and our judgments should be unmoved by alluring phrases and unvexed by selfish interests.

I am confident that such an approach to the subject will result in prudent and effective remedial legislation. In the meantime, so far as the executive branch of the Government can intervene, none of the powers with which it is invested will be withheld when their exercise is deemed necessary to maintain our national credit or avert financial disaster.

Closely related to the exaggerated confidence in our country's greatness which tends to a disregard of the rules of national safety, another danger confronts us not less serious. I refer to the prevalence of a popular disposition to expect from the operation of the Government especial and direct individual advantages.

The verdict of our voters which condemned the injustice of maintaining protection for protection's sake enjoins upon the people's servants the duty of exposing and destroying the brood of kindred evils which are the unwholesome progeny of paternalism. This is the bane of republican institutions and the constant peril of our government by the people. It degrades to the purposes of wily craft the plan of rule our fathers established and bequeathed to us as an object of our love and veneration. It perverts the patriotic sentiments of our countrymen and tempts them to pitiful calculation of the sordid gain to be derived from their Government's maintenance. It undermines the self-reliance of our people and substitutes in its place dependence upon governmental favoritism. It stifles the spirit of true Americanism and stupefies every ennobling trait of American citizenship.

The lessons of paternalism ought to be unlearned and the better lesson taught that while the people should patriotically and cheerfully support their Government its functions do not include the support of the people.

The acceptance of this principle leads to a refusal of bounties and subsidies, which burden the labor and thrift of a portion of our citizens to aid ill-advised or languishing enterprises in which they have no concern. It leads also to a challenge of wild and reckless pension expenditure, which overleaps the bounds of grateful recognition of patriotic service and prostitutes to vicious uses the people's prompt and generous impulse to aid those disabled in their country's defense.

Every thoughtful American must realize the importance of checking at its beginning any tendency in public or private station to regard frugality and economy as virtues which we may safely outgrow. The

THE BURNING OF SIBONEY, 1898

MARCHING THROUGH SIBONEY

From Siboney went two trails to Santiago, which, three miles away from Siboney, merged into one road. This meeting-place, uninhabited by man and surrounded with dense jungle, is called Las Guasimas. Here the Spaniards took position, posting riflemen in pits on the eastern trail and others in the jungle on the western. Shafter's advance on Santiago was led by Wheeler, who sent five hundred Rough Riders by the western, and five hundred negro cavalrymen of the Tenth Regular Regiment by the eastern trail. The Rough Riders performed the more notable part of the work. Having learned that the enemy was near at hand their column halted and deployed into the jungle on either side and into the valley, so as to establish communication with the other column on the eastern trail. Presently a volley rang out and a hail of Mauser bullets whistled through the foliage about three feet above the ground. The troops stumbled through the rank vegetation toward the sound. Sight was almost useless in the bewildering tangle. Our troops at last encountered a curtain of wild grapevines so closely intertwined and festooned with parasitic growths that they could proceed no farther. From behind this curtain came the volleys. After pouring lead into the spot, Roosevelt ordered them to move on knees and stomachs to the left. A skirmish line was thus formed that ran from the eastern trail into the valley and up the slope, to the western trail, outflanking the Spanish ambush. The Rough Riders' part of this line went forward in short dashes, each man seeking his own shelter. An hour and a half of such fighting drove the Spaniards a mile and a half from their first line of battle. The rifle pits on the eastern slope had not been carried, however. The Rough Riders then charged the enemy's principal stronghold, a house on the ridge, and carried it. This made the rifle pits untenable and the enemy retreated toward Santiago.

President McKinley wrote the official history of the war in his messages, just as Madison, Polk and Lincoln wrote the official histories of the War of 1812, and the Mexican and Civil wars. The article, "Spanish-American War," in the Encyclopedic Index, recites the facts briefly. There are articles on the principal battles, "Santiago," "Santiago Harbor," "Manila Harbor," "Guantanamo," and "San Juan."

toleration of this idea results in the waste of the people's money by their chosen servants and encourages prodigality and extravagance in the home life of our countrymen.

Under our scheme of government the waste of public money is a crime against the citizen, and the contempt of our people for economy and frugality in their personal affairs deplorably saps the strength and sturdiness of our national character.

It is a plain dictate of honesty and good government that public expenditures should be limited by public necessity, and that this should be measured by the rules of strict economy; and it is equally clear that frugality among the people is the best guaranty of a contented and strong support of free institutions.

One mode of the misappropriation of public funds is avoided when appointments to office, instead of being the rewards of partisan activity, are awarded to those whose efficiency promises a fair return of work for the compensation paid to them. To secure the fitness and competency of appointees to office and remove from political action the demoralizing madness for spoils, civil-service reform has found a place in our public policy and laws. The benefits already gained through this instrumentality and the further usefulness it promises entitle it to the hearty support and encouragement of all who desire to see our public service well performed or who hope for the elevation of political sentiment and the purification of political methods.

The existence of immense aggregations of kindred enterprises and combinations of business interests formed for the purpose of limiting production and fixing prices is inconsistent with the fair field which ought to be open to every independent activity. Legitimate strife in business should not be superseded by an enforced concession to the demands of combinations that have the power to destroy, nor should the people to be served lose the benefit of cheapness which usually results from wholesome competition. These aggregations and combinations frequently constitute conspiracies against the interests of the people, and in all their phases they are unnatural and opposed to our American sense of fairness. To the extent that they can be reached and restrained by Federal power the General Government should relieve our citizens from their interference and exactions.

Loyalty to the principles upon which our Government rests positively demands that the equality before the law which it guarantees to every citizen should be justly and in good faith conceded in all parts of the land. The enjoyment of this right follows the badge of citizenship wherever found, and, unimpaired by race or color, it appeals for recognition to American manliness and fairness.

Our relations with the Indians located within our border impose upon us responsibilities we can not escape. Humanity and consistency require us to treat them with forbearance and in our dealings with them

to honestly and considerately regard their rights and interests. Every effort should be made to lead them, through the paths of civilization and education, to self-supporting and independent citizenship. In the meantime, as the nation's wards, they should be promptly defended against the cupidity of designing men and shielded from every influence or temptation that retards their advancement.

The people of the United States have decreed that on this day the control of their Government in its legislative and executive branches shall be given to a political party pledged in the most positive terms to the accomplishment of tariff reform. They have thus determined in favor of a more just and equitable system of Federal taxation. The agents they have chosen to carry out their purposes are bound by their promises not less than by the command of their masters to devote themselves unremittingly to this service.

While there should be no surrender of principle, our task must be undertaken wisely and without heedless vindictiveness. Our mission is not punishment, but the rectification of wrong. If in lifting burdens from the daily life of our people we reduce inordinate and unequal advantages too long enjoyed, this is but a necessary incident of our return to right and justice. If we exact from unwilling minds acquiescence in the theory of an honest distribution of the fund of the governmental beneficence treasured up for all, we but insist upon a principle which underlies our free institutions. When we tear aside the delusions and misconceptions which have blinded our countrymen to their condition under vicious tariff laws, we but show them how far they have been led away from the paths of contentment and prosperity. When we proclaim that the necessity for revenue to support the Government furnishes the only justification for taxing the people, we announce a truth so plain that its denial would seem to indicate the extent to which judgment may be influenced by familiarity with perversions of the taxing power. And when we seek to reinstate the self-confidence and business enterprise of our citizens by discrediting an abject dependence upon governmental favor, we strive to stimulate those elements of American character which support the hope of American achievement.

Anxiety for the redemption of the pledges which my party has made and solicitude for the complete justification of the trust the people have reposed in us constrain me to remind those with whom I am to cooperate that we can succeed in doing the work which has been especially set before us only by the most sincere, harmonious, and disinterested effort. Even if insuperable obstacles and opposition prevent the consummation of our task, we shall hardly be excused; and if failure can be traced to our fault or neglect we may be sure the people will hold us to a swift and exacting accountability.

The oath I now take to preserve, protect, and defend the Constitution of the United States not only impressively defines the great responsibility

I assume, but suggests obedience to constitutional commands as the rule by which my official conduct must be guided. I shall to the best of my ability and within my sphere of duty preserve the Constitution by loyally protecting every grant of Federal power it contains, by defending all its restraints when attacked by impatience and restlessness, and by enforcing its limitations and reservations in favor of the States and the people.

Fully impressed with the gravity of the duties that confront me and mindful of my weakness, I should be appalled if it were my lot to bear unaided the responsibilities which await me. I am, however, saved from discouragement when I remember that I shall have the support and the counsel and cooperation of wise and patriotic men who will stand at my side in Cabinet places or will represent the people in their legislative halls.

I find also much comfort in remembering that my countrymen are just and generous and in the assurance that they will not condemn those who by sincere devotion to their service deserve their forbearance and approval.

Above all, I know there is a Supreme Being who rules the affairs of men and whose goodness and mercy have always followed the American people, and I know He will not turn from us now if we humbly and reverently seek His powerful aid.

MARCH 4, 1893.

SPECIAL MESSAGES.

EXECUTIVE MANSION,
Washington, March 9, 1893.

To the Senate of the United States:

I transmit herewith a report submitted by the Secretary of State in compliance with the resolution of the Senate of the 3d instant, calling for information relating to the capture and imprisonment of Captain Pharos B. Brubaker by Honduras officials.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 9, 1893.

To the Senate of the United States:

For the purpose of reexamination I withdraw the treaty of annexation between the United States and the Provisional Government of the Hawaiian Islands, now pending in the Senate, which was signed February 14, 1893, and transmitted to the Senate on the 15th of the same month, and I therefore request that said treaty be returned to me.

GROVER CLEVELAND.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea; and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month in at least one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering said waters for the purpose of violating the provisions of said section; and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Articles I, II, and III of a convention between the United States of America and Great Britain for the renewal of the existing *modus vivendi* in Bering Sea, concluded April 18, 1892, are published for the same purpose:

ARTICLE I. Her Majesty's Government will prohibit during the pendency of the arbitration seal killing in that part of Bering Sea lying eastward of the line of demarcation described in Article No. I of the treaty of 1867 between the United States and Russia, and will promptly use its best efforts to insure the observance of this prohibition by British subjects and vessels.

ART. II. The United States Government will prohibit seal killing for the same period in the same part of Bering Sea and on the shores and islands thereof the property of the United States (in excess of 7,500 to be taken on the islands for the subsistence of the natives), and will promptly use its best efforts to insure the observance of this prohibition by United States citizens and vessels.

ART. III. Every vessel or person offending against this prohibition in the said waters of Bering Sea outside of the ordinary territorial limits of the United States

may be seized and detained by the naval or other duly commissioned officers of either of the high contracting parties, but they shall be handed over as soon as practicable to the authorities of the nation to which they respectively belong, who alone shall have jurisdiction to try the offense and impose the penalties for the same. The witnesses and proof necessary to establish the offense shall also be sent with them.

Now, therefore, I, Grover Cleveland, President of the United States, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956 of the Revised Statutes and of the said articles of said convention, and I hereby proclaim that all persons found to be or to have been engaged in any violation of the laws of the United States or of the provisions of said convention in said waters will be arrested, proceeded against, and punished as above provided.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of April, 1893, and of the Independence of the United States the one hundred and seventeenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Denmark the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the subjects of Denmark:

Now, therefore, I, Grover Cleveland, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, now exists and is fulfilled in respect to the subjects of Denmark.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of May, 1893, and of the Independence of the United States the one hundred and seventeenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

EXECUTIVE MANSION,
Washington, D. C., June 30, 1893.

Whereas the distrust and apprehension concerning the financial situation which pervade all business circles have already caused great loss and damage to our people and threaten to cripple our merchants, stop the wheels of manufacture, bring distress and privation to our farmers, and withhold from our workingmen the wage of labor; and

Whereas the present perilous condition is largely the result of a financial policy which the executive branch of the Government finds embodied in unwise laws, which must be executed until repealed by Congress:

Now, therefore, I, Grover Cleveland, President of the United States, in performance of a constitutional duty, do by this proclamation declare that an extraordinary occasion requires the convening of both Houses of the Congress of the United States at the Capitol, in the city of Washington, on the 7th day of August next, at 12 o'clock noon, to the end that the people may be relieved through legislation from present and impending danger and distress.

All those entitled to act as members of the Fifty-third Congress are required to take notice of this proclamation and attend at the time and place above stated.

Given under my hand and the seal of the United States, at the city of Washington, on the 30th day of June, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

[SEAL.]

GROVER CLEVELAND.

By the President:

ALVEY A. ADEE, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an act of Congress amendatory of an act in relation to aiding vessels wrecked or disabled in the waters conterminous to the United States and the Dominion of Canada was approved May 24, 1890, the said act being in the following words:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to aid vessels wrecked or disabled in the waters conterminous to the United States and the Dominion of

Canada," approved June 19, 1878, be, and the same is hereby, amended so that the same will read as follows:

"That Canadian vessels and wrecking appurtenance may render aid and assistance to Canadian or other vessels and property wrecked, disabled, or in distress in the waters of the United States contiguous to the Dominion of Canada: *Provided*, That this act shall not take effect until proclamation by the President of the United States that the privilege of aiding American or other vessels and property wrecked, disabled, or in distress in Canadian waters contiguous to the United States has been extended by the government of the Dominion of Canada to American vessels and wrecking appliances of all descriptions. This act shall be construed to apply to the Welland Canal, the canal and improvement of the waters between Lake Erie and Lake Huron, and to the waters of the St. Marys River and Canal: *And provided further*, That this act shall cease to be in force from and after the date of the proclamation of the President of the United States to the effect that said reciprocal privilege has been withdrawn, revoked, or rendered inoperative by the said government of the Dominion of Canada."

And whereas an act of Congress making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes, approved March 3, 1893, further amended the act of May 24, 1890, as follows:

That an act approved May 24, 1890, entitled "An act to amend an act entitled 'An act to aid vessels wrecked or disabled in the waters conterminous to the United States and the Dominion of Canada,' approved June 19, 1878," be, and is hereby, amended by striking out the words "the Welland Canal."

And whereas by an order in council dated May 17, 1893, the government of the Dominion of Canada has proclaimed an act entitled "An act respecting aid by United States wreckers in Canadian waters" to take effect June 1, 1893, said act reading as follows:

Her Majesty, by and with the advice and consent of the senate and house of commons of Canada, enacts as follows:

1. United States vessels and wrecking appliances may salve any property wrecked and may render aid and assistance to any vessels wrecked, disabled, or in distress in the waters of Canada contiguous to the United States.

2. Aid and assistance include all necessary towing incident thereto.

3. Nothing in the customs or coasting laws of Canada shall restrict the salving operations of such vessels or wrecking appliances.

4. This act shall come into force from and after a date to be named in a proclamation by the Governor-General, which proclamation may be issued when the Governor in council is advised that the privilege of salving any property wrecked or of aiding any vessels wrecked, disabled, or in distress in United States waters contiguous to Canada will be extended to Canadian vessels and wrecking appliances to the extent to which such privilege is granted by this act to United States vessels and wrecking appliances.

5. This act shall cease to be in force from and after a date to be named in a proclamation to be issued by the Governor-General to the effect that the said reciprocal privilege has been withdrawn, revoked, or rendered inoperative with respect to Canadian vessels or wrecking appliances in United States waters contiguous to Canada.

And whereas said proclamation of the Governor-General of Canada was communicated to this Government by Her Britannic Majesty's ambassador on the 2d day of June last:

Now, therefore, being thus satisfied that the privilege of aiding American or other vessels and property wrecked, disabled, or in distress in

Canadian waters contiguous to the United States has been extended by the government of the Dominion of Canada to American vessels and wrecking appliances of all descriptions, I, Grover Cleveland, President of the United States of America, in virtue of the authority conferred upon me by the aforesaid act of Congress approved May 24, 1890, do proclaim that the condition specified in the legislation of Congress aforesaid now exists and is fulfilled, and that the provisions of said act of May 24, 1890, whereby Canadian vessels and wrecking appliances may render aid and assistance to Canadian and other vessels and property wrecked, disabled, or in distress in the waters of the United States contiguous to the Dominion of Canada, including the canal and improvement of the waters between Lake Erie and Lake Huron and the waters of the St. Marys River and Canal, are now in full force and effect.

In testimony whereof I have hereunto set my hand and caused the seal of the United States of America to be hereunto affixed.

[SEAL.] Done at the city of Washington, this 17th day of July, A. D. 1893, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Portugal the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the subjects of Portugal:

Now, therefore, I, Grover Cleveland, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, now exists and is fulfilled in respect to the subjects of Portugal.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of July, A. D. 1893, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

Departmental Rule VII is hereby amended by adding thereto the following section:

8. The First Comptroller of the Treasury having advised the Secretary of the Treasury that under the operation of section 5 of the legislative, executive, and judicial appropriation act making appropriations for the fiscal year ending June 30, 1894, the employment of substitutes in the departmental service must cease from and after July 1, 1893, it is hereby ordered, in view of the fact that the substitutes now employed were appointed by regular certification under section 7 of this rule, that such of said substitutes as shall not be appointed to regular places before the employment of substitutes shall cease shall be eligible for appointment to regular places by reinstatement under the provisions of Departmental Rule X, in the order of their employment as substitutes as provided in said section 7, notwithstanding the prohibition contained in the second proviso of said section; and said substitutes shall have preference for appointment in the manner herein provided over all other eligibles.

This section shall become inoperative and cease to be a part of the civil-service rules when all of the substitutes now employed in the several Departments shall have been appointed as herein provided or shall have ceased to be eligible for appointment by reason of the expiration of the time within which a reinstatement can be made under Rule X.

Approved, April 12, 1893.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 8, 1893.*

It has become apparent after two months' experience that the rules heretofore promulgated regulating interviews with the President have wholly failed in their operation. The time which under these rules was set apart for the reception of Senators and Representatives has been almost entirely spent in listening to applications for office, which have been bewildering in volume, perplexing and exhausting in their iteration, and impossible of remembrance.

A due regard for public duty, which must be neglected if present conditions continue, and an observance of the limitations placed upon human endurance oblige me to decline from and after this date all personal interviews with those seeking appointments to office, except as I on my own

motion may especially invite them. The same considerations make it impossible for me to receive those who merely desire to pay their respects except on the days and during the hours especially designated for that purpose.

I earnestly request Senators and Representatives to aid me in securing for them uninterrupted interviews by declining to introduce their constituents and friends when visiting the Executive Mansion during the hours designated for their reception. Applicants for office will only prejudice their prospects by repeated importunity and by remaining in Washington to await results.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 26, 1893.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Tuesday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers and sailors who fell in the defense of the Union during the War of the Rebellion.

GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

Special Departmental Rule No. 1 is hereby amended as follows: Include among the places excepted from examination therein the following:

6. In the Department of Agriculture:

In the office of the Secretary: The assistant chiefs of the following divisions: Of economic ornithology and mammalogy, of pomology, of microscopy, of vegetable pathology, of records and editing, and one property clerk.

In the Weather Bureau: The assistant chief of the Bureau, the three professors of meteorology of highest grade, executive officer, superintendent of telegraph lines, and one property clerk.

In the United States Commission of Fish and Fisheries the following: Scientific or professional experts to be temporarily employed in investigations authorized by Congress, but not to include any persons regularly employed in that Commission nor any person whose duties are not scientific or professional and who are not experts in the particular line of scientific inquiry in which they are to be employed.

EXECUTIVE MANSION, *June 6, 1893.*

The foregoing amendments are hereby approved.

GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

Postal Rule No. 2 is hereby amended as follows:

Strike out all of section 1 except the last paragraph, relating to noncompetitive examinations, and insert in lieu thereof the following:

1. To test the fitness for admission to the classified postal service one or more examinations shall be provided, as the Commission may determine, which shall not

include more than the following subjects: Orthography, copying, penmanship, arithmetic (fundamental rules, fractions, and percentage), elements of the geography of the United States, local delivery, reading addresses, physical tests: *Provided*, That when special examinations are needed to test fitness for any place requiring special or technical knowledge or skill the examination shall include, in addition to the special subjects required, such of the subjects of the regular examination as the Commission may determine.

Strike out section 2 and insert in lieu thereof the following:

No person shall be examined for the position of letter carrier if under 21 or over 40 years of age, and no person shall be examined for any other position in the classified postal service if under 18 years of age.

EXECUTIVE MANSION, *June 6, 1893.*

The foregoing amendments are hereby approved.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, June 16, 1893.

In accordance with section 16 of the act of Congress approved April 25, 1890, and entitled "An act to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea in the city of Chicago, in the State of Illinois," the designations of the following-named persons as members of the board of control and management of the Government exhibit at the World's Columbian Exhibition are hereby approved:

W. W. Rockhill, chief clerk of the Department of State, to represent that Department, *vice* William E. Curtis.

Lieutenant-Commander E. D. Taussig, United States Navy, to represent the Navy Department, *vice* Captain R. W. Meade, United States Navy.

Frank W. Clark, chemist, United States Geological Survey, to represent the Department of the Interior, *vice* Horace A. Taylor.

GROVER CLEVELAND.

SPECIAL SESSION MESSAGE.

EXECUTIVE MANSION, *August 8, 1893.*

To the Congress of the United States:

The existence of an alarming and extraordinary business situation, involving the welfare and prosperity of all our people, has constrained me to call together in extra session the people's representatives in Congress, to the end that through a wise and patriotic exercise of the legislative duty, with which they solely are charged, present evils may be mitigated and dangers threatening the future may be averted.

Our unfortunate financial plight is not the result of untoward events nor of conditions related to our natural resources, nor is it traceable to any of the afflictions which frequently check national growth and prosperity. With plenteous crops, with abundant promise of remunerative production and manufacture, with unusual invitation to safe investment, and with satisfactory assurance to business enterprise, suddenly financial distrust and fear have sprung up on every side. Numerous moneyed institutions have suspended because abundant assets were not immediately available to meet the demands of frightened depositors. Surviving corporations and individuals are content to keep in hand the money they are usually anxious to loan, and those engaged in legitimate business are surprised to find that the securities they offer for loans, though heretofore satisfactory, are no longer accepted. Values supposed to be fixed are fast becoming conjectural, and loss and failure have invaded every branch of business.

I believe these things are principally chargeable to Congressional legislation touching the purchase and coinage of silver by the General Government.

This legislation is embodied in a statute passed on the 14th day of July, 1890, which was the culmination of much agitation on the subject involved, and which may be considered a truce, after a long struggle, between the advocates of free silver coinage and those intending to be more conservative.

Undoubtedly the monthly purchases by the Government of 4,500,000 ounces of silver, enforced under that statute, were regarded by those interested in silver production as a certain guaranty of its increase in price. The result, however, has been entirely different, for immediately following a spasmodic and slight rise the price of silver began to fall after the passage of the act, and has since reached the lowest point ever known. This disappointing result has led to renewed and persistent effort in the direction of free silver coinage.

Meanwhile not only are the evil effects of the operation of the present law constantly accumulating, but the result to which its execution must inevitably lead is becoming palpable to all who give the least heed to financial subjects.

This law provides that in payment for the 4,500,000 ounces of silver bullion which the Secretary of the Treasury is commanded to purchase monthly there shall be issued Treasury notes redeemable on demand in gold or silver coin, at the discretion of the Secretary of the Treasury, and that said notes may be reissued. It is, however, declared in the act to be "the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio or such ratio as may be provided by law." This declaration so controls the action of the Secretary of the Treasury as to prevent his exercising the discretion nominally vested in him if by such action the parity between gold

and silver may be disturbed. Manifestly a refusal by the Secretary to pay these Treasury notes in gold if demanded would necessarily result in their discredit and depreciation as obligations payable only in silver, and would destroy the parity between the two metals by establishing a discrimination in favor of gold.

Up to the 15th day of July, 1893, these notes had been issued in payment of silver-bullion purchases to the amount of more than $147,000,000. While all but a very small quantity of this bullion remains uncoined and without usefulness in the Treasury, many of the notes given in its purchase have been paid in gold. This is illustrated by the statement that between the 1st day of May, 1892, and the 15th day of July, 1893, the notes of this kind issued in payment for silver bullion amounted to a little more than $54,000,000, and that during the same period about $49,000,000 were paid by the Treasury in gold for the redemption of such notes.

The policy necessarily adopted of paying these notes in gold has not spared the gold reserve of $100,000,000 long ago set aside by the Government for the redemption of other notes, for this fund has already been subjected to the payment of new obligations amounting to about $150,000,000 on account of silver purchases, and has as a consequence for the first time since its creation been encroached upon.

We have thus made the depletion of our gold easy and have tempted other and more appreciative nations to add it to their stock. That the opportunity we have offered has not been neglected is shown by the large amounts of gold which have been recently drawn from our Treasury and exported to increase the financial strength of foreign nations. The excess of exports of gold over its imports for the year ending June 30, 1893, amounted to more than $87,500,000.

Between the 1st day of July, 1890, and the 15th day of July, 1893, the gold coin and bullion in our Treasury decreased more than $132,000,000, while during the same period the silver coin and bullion in the Treasury increased more than $147,000,000. Unless Government bonds are to be constantly issued and sold to replenish our exhausted gold, only to be again exhausted, it is apparent that the operation of the silver-purchase law now in force leads in the direction of the entire substitution of silver for the gold in the Government Treasury, and that this must be followed by the payment of all Government obligations in depreciated silver.

At this stage gold and silver must part company and the Government must fail in its established policy to maintain the two metals on a parity with each other. Given over to the exclusive use of a currency greatly depreciated according to the standard of the commercial world, we could no longer claim a place among nations of the first class, nor could our Government claim a performance of its obligation, so far as such an obligation has been imposed upon it, to provide for the use of the people the best and safest money.

If, as many of its friends claim, silver ought to occupy a larger place in our currency and the currency of the world through general international cooperation and agreement, it is obvious that the United States will not be in a position to gain a hearing in favor of such an arrangement so long as we are willing to continue our attempt to accomplish the result single-handed.

The knowledge in business circles among our own people that our Government can not make its fiat equivalent to intrinsic value nor keep inferior money on a parity with superior money by its own independent efforts has resulted in such a lack of confidence at home in the stability of currency values that capital refuses its aid to new enterprises, while millions are actually withdrawn from the channels of trade and commerce to become idle and unproductive in the hands of timid owners. Foreign investors, equally alert, not only decline to purchase American securities, but make haste to sacrifice those which they already have.

It does not meet the situation to say that apprehension in regard to the future of our finances is groundless and that there is no reason for lack of confidence in the purposes or power of the Government in the premises. The very existence of this apprehension and lack of confidence, however caused, is a menace which ought not for a moment to be disregarded. Possibly, if the undertaking we have in hand were the maintenance of a specific known quantity of silver at a parity with gold, our ability to do so might be estimated and gauged, and perhaps, in view of our unparalleled growth and resources, might be favorably passed upon. But when our avowed endeavor is to maintain such parity in regard to an amount of silver increasing at the rate of $50,000,000 yearly, with no fixed termination to such increase, it can hardly be said that a problem is presented whose solution is free from doubt.

The people of the United States are entitled to a sound and stable currency and to money recognized as such on every exchange and in every market of the world. Their Government has no right to injure them by financial experiments opposed to the policy and practice of other civilized states, nor is it justified in permitting an exaggerated and unreasonable reliance on our national strength and ability to jeopardize the soundness of the people's money.

This matter rises above the plane of party politics. It vitally concerns every business and calling and enters every household in the land. There is one important aspect of the subject which especially should never be overlooked. At times like the present, when the evils of unsound finance threaten us, the speculator may anticipate a harvest gathered from the misfortune of others, the capitalist may protect himself by hoarding or may even find profit in the fluctuations of values; but the wage earner—the first to be injured by a depreciated currency and the last to receive the benefit of its correction—is practically defenseless. He

relies for work upon the ventures of confident and contented capital. This failing him, his condition is without alleviation, for he can neither prey on the misfortunes of others nor hoard his labor. One of the greatest statesmen our country has known, speaking more than fifty years ago, when a derangement of the currency had caused commercial distress, said:

> The very man of all others who has the deepest interest in a sound currency and who suffers most by mischievous legislation in money matters is the man who earns his daily bread by his daily toil.

These words are as pertinent now as on the day they were uttered, and ought to impressively remind us that a failure in the discharge of our duty at this time must especially injure those of our countrymen who labor, and who because of their number and condition are entitled to the most watchful care of their Government.

It is of the utmost importance that such relief as Congress can afford in the existing situation be afforded at once. The maxim "He gives twice who gives quickly" is directly applicable. It may be true that the embarrassments from which the business of the country is suffering arise as much from evils apprehended as from those actually existing. We may hope, too, that calm counsels will prevail, and that neither the capitalists nor the wage earners will give way to unreasoning panic and sacrifice their property or their interests under the influence of exaggerated fears. Nevertheless, every day's delay in removing one of the plain and principal causes of the present state of things enlarges the mischief already done and increases the responsibility of the Government for its existence. Whatever else the people have a right to expect from Congress, they may certainly demand that legislation condemned by the ordeal of three years' disastrous experience shall be removed from the statute books as soon as their representatives can legitimately deal with it.

It was my purpose to summon Congress in special session early in the coming September, that we might enter promptly upon the work of tariff reform, which the true interests of the country clearly demand, which so large a majority of the people, as shown by their suffrages, desire and expect, and to the accomplishment of which every effort of the present Administration is pledged. But while tariff reform has lost nothing of its immediate and permanent importance and must in the near future engage the attention of Congress, it has seemed to me that the financial condition of the country should at once and before all other subjects be considered by your honorable body.

I earnestly recommend the prompt repeal of the provisions of the act passed July 14, 1890, authorizing the purchase of silver bullion, and that other legislative action may put beyond all doubt or mistake the intention and the ability of the Government to fulfill its pecuniary obligations in money universally recognized by all civilized countries.

GROVER CLEVELAND.

SPECIAL MESSAGE.

EXECUTIVE MANSION,
Washington, October 18, 1893.

To the Senate of the United States:

In response to the resolution of the Senate of the 10th instant, concerning the attitude of the Government of China with regard to an extension of the time for the registration of Chinese laborers in the United States under the act of May 5, 1892, I transmit a report of the Secretary of State on the subject.

GROVER CLEVELAND.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 10 of the act of Congress approved March 3, 1893, entitled "An act making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1894," the Cherokee Nation of Indians, by a written agreement made on the 17th day of May, 1893, has ratified the agreement for the cession of certain lands hereinafter described, as amended by said act of March 3, 1893, and thereby ceded, conveyed, transferred, relinquished, and surrendered all its title, claim, and interest of every kind and character in and to that part of the Indian Territory bounded on the west by the one hundredth degree (100°) of west longitude, on the north by the State of Kansas, on the east by the ninety-sixth degree (96°) of west longitude, and on the south by the Creek Nation, the Territory of Oklahoma, and the Cheyenne and Arapahoe Reservation created or defined by Executive order dated August 10, 1869: *Provided*, That any citizen of the Cherokee Nation who prior to the 1st day of November, 1891, was a *bona fide* resident upon and, further, had, as a farmer and for farming purposes, made permanent and valuable improvements upon any part of the land so ceded, and who has not disposed of the same, but desires to occupy the particular lands so improved as a homestead and for farming purposes, shall have the right to select one-eighth of a section of land, to conform, however, to the United States surveys; such selection to embrace, as far as the above limitation will admit, such improvements; the wife and children of any such citizen shall have the same right of selection that is above given to the citizen, and they shall

have the preference in making selections to take any lands improved by the husband and father that he can not take until all of his improved land shall be taken; and that any citizen of the Cherokee Nation not a resident within the land so ceded who prior to the 1st day of November, 1891, had for farming purposes made valuable and permanent improvements upon any of the land so ceded shall have the right to select one-eighth of a section of land, to conform to the United States surveys; such selection to embrace, as far as the above limitation will admit, such improvements; but the allotments so provided for shall not exceed seventy (70) in number and the land allotted shall not exceed five thousand and six hundred (5,600) acres; and such allotments shall be made and confirmed under such rules and regulations as shall be prescribed by the Secretary of the Interior, and when so made and confirmed shall be conveyed to the allottees respectively by the United States in fee simple; and from the price to be paid to the Cherokee Nation for the cession so made there shall be deducted the sum of one dollar and forty cents ($1.40) for each acre so taken in allotment: *And provided*, That D. W. Bushyhead having made permanent or valuable improvements prior to the 1st day of November, 1891, on the lands so ceded, he may select a quarter section of the lands ceded, whether reserved or otherwise, prior to the opening of said lands to public settlement, but he shall be required to pay for such selection at the same rate per acre as other settlers, into the Treasury of the United States, in such manner as the Secretary of the Interior shall direct; and

Whereas it is provided in section 10 of the aforesaid act of Congress approved March 3, 1893, that—

Said lands, except the portion to be allotted as provided in said agreement, shall, upon the payment of the sum of $295,736, herein appropriated, to be immediately paid, become and be taken to be and treated as a part of the public domain; but in any opening of the same to settlement sections 16 and 36 in each township, whether surveyed or unsurveyed, shall be, and are hereby, reserved for the use and benefit of the public schools to be established within the limits of such lands, under such conditions and regulations as may be hereafter enacted by Congress. * * *

Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, and the east half of sections 17, 20, and 29, all in township No. 29 north of range No. 2 east of the Indian meridian, the same being lands reserved by Executive order dated July 12, 1884, for use of and in connection with the Chilocco Indian Industrial School, in the Indian Territory, shall not be subject to public settlement, but shall until the further action of Congress continue to be reserved for the purposes for which they were set apart in the said Executive order; and the President of the United States, in any order or proclamation which he shall make for the opening of the lands for settlement, may make such other reservations of lands for public purposes as he may deem wise and desirable.

The President of the United States is hereby authorized, at any time within six months after the approval of this act and the acceptance of the same by the Cherokee Nation as herein provided, by proclamation, to open to settlement any or all of the lands not allotted or reserved in the manner provided in section 13 of the act of Congress approved March 2, 1889, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1890, and for other

purposes" (25 U. S. Statutes at Large, p. 1005); and also subject to the provisions of the act of Congress approved May 2, 1890, entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes;" also subject to the second proviso of section 17, the whole of section 18, of the act of March 3, 1891, entitled "An act making appropriations for the current expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes;" except as to so much of said acts and sections as may conflict with the provisions of this act. Each settler on the lands so to be opened to settlement as aforesaid shall before receiving a patent for his homestead pay to the United States for the lands so taken by him, in addition to the fees provided by law, the sum of $2.50 per acre for any land east of 97½° west longitude, the sum of $1.50 per acre for any land between 97½° west longitude and 98½° west longitude, and the sum of $1 per acre for any land west of 98½° west longitude, and shall also pay interest upon the amount so to be paid for said land from the date of entry to the date of final payment therefor at the rate of 4 per cent per annum.

No person shall be permitted to occupy or enter upon any of the lands herein referred to except in the manner prescribed by the proclamation of the President opening the same to settlement, and any person otherwise occupying or entering upon any of said lands shall forfeit all right to acquire any of said lands. The Secretary of the Interior shall, under the direction of the President, prescribe rules and regulations, not inconsistent with this act, for the occupation and settlement of said lands, to be incorporated in the proclamation of the President, which shall be issued at least twenty days before the time fixed for the opening of said lands.

And whereas by a written agreement made on the 21st day of October, 1891, the Tonkawa tribe of Indians, in the Territory of Oklahoma, ceded, conveyed, and forever relinquished to the United States all their right, title, claim, and interest of every kind and character in and to the lands particularly described in Article I of the agreement: *Provided*, That the allotments of land to said Tonkawa tribe of Indians theretofore made or to be made under said agreement and the provisions of the general allotment act approved February 8, 1887, and an act amendatory thereof, approved February 28, 1891, shall be confirmed: *And provided*, That in all cases where the allottee has died since land has been set off and scheduled to such person the law of descent and partition in force in Oklahoma Territory shall apply thereto, any existing law to the contrary notwithstanding; and

Whereas by a certain other agreement with the Pawnee tribe of Indians, in said Territory, made on the 23d day of November, 1892, said tribe ceded, conveyed, released, relinquished, and surrendered to the United States all its title, claim, and interest of every kind and character in and to the lands particularly described in Article I of the agreement: *Provided*, That the allotments made or to be made to said Indians in the manner and subject to the conditions contained in said agreement shall be confirmed; and

Whereas it is provided in section 13 of the act of Congress accepting, ratifying, and confirming said agreements with the Tonkawa Indians and the Pawnee Indians, specified in sections 11 and 12 of the same act, approved March 3, 1893, entitled "An act making appropriations for

current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1894"—

That the lands acquired by the agreements specified in the two preceding sections are hereby declared to be a part of the public domain. Sections 16 and 36 in each township, whether surveyed or unsurveyed, are hereby reserved from settlement for the use and benefit of public schools, as provided in section 10 relating to lands acquired from the Cherokee Nation of Indians; and the lands so acquired by the agreements specified in the two preceding sections not so reserved shall be opened to settlement by proclamation of the President at the same time and in the manner and subject to the same conditions and regulations provided in section 10 relating to the opening of the lands acquired from the Cherokee Nation of Indians; and each settler on the lands so to be opened as aforesaid shall before receiving a patent for his homestead pay to the United States for the lands so taken by him, in addition to the fees provided by law, the sum of $2.50 per acre, and shall also pay interest upon the amount so to be paid for said land from the date of entry to the date of final payment at the rate of 4 per cent per annum.

And whereas the thirteenth section of the act approved March 2, 1889, the act approved May 2, 1890, and the second proviso of section 17 and the whole of section 18 of the act approved March 3, 1891, are referred to in the tenth section of the act approved March 3, 1893, and thereby made applicable in the disposal of the lands in the Cherokee Outlet hereinbefore mentioned, the provisions of which acts, so far as they affect the opening to settlement and the disposal of said lands, are more particularly set forth hereinafter in connection with the rules and regulations prescribed by the Secretary of the Interior for the occupation and settlement of the lands hereby opened according to said tenth section; and

Whereas the lands acquired by the three several agreements hereinbefore mentioned have been divided into counties by the Secretary of the Interior, as required by said last-mentioned act of Congress before the same shall be opened to settlement, and lands have been reserved for county-seat purposes, to be entered under sections 2387 and 2388 of the Revised Statutes of the United States, as therein required, as follows, to wit:

For County K, the southeast quarter of section 23 and the northeast quarter of section 26, township 28 north, range 2 east of the Indian meridian, excepting 4 acres reserved for the site of a court-house, to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservation to be additional to the reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890.

For County L, the southwest quarter of section 1 and the southeast quarter of section 2, township 25 north, range 6 west of the Indian meridian, excepting 4 acres reserved for the site of a court-house, to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservation to be additional to the

reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890.

For County M, the south half of the northeast quarter and the north half of the southeast quarter of section 23 and the south half of the northwest quarter and the north half of the southwest quarter of section 24, township 27 north, range 14 west of the Indian meridian, excepting 1 acre reserved for Government use for the site of a land office and 4 acres to be reserved for the site of a court-house, which tracts are to be contiguous and to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservations to be additional to the reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890.

For County N, the south half of section 25, township 23 north, range 21 west of the Indian meridian, excepting 1 acre reserved for Government use for the site of a land office and 4 acres to be reserved for the site of a court-house, which tracts are to be contiguous and to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservations to be additional to the reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890.

For County O, the southeast quarter of section 7 and the southwest quarter of section 8, township 22 north, range 6 west of the Indian meridian, excepting 1 acre reserved for Government use for the site of a land office and 4 acres to be reserved for the site of a court-house, which tracts are to be contiguous and to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservations to be additional to the reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890.

For County P, the northeast quarter of section 22 and the northwest quarter of section 23, township 21 north, range 1 west of the Indian meridian, excepting 1 acre reserved for Government use for the site of a land office and 4 acres reserved for the site of a court-house, which tracts are to be contiguous and to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservations to be additional to the reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890; and

For County Q, the southeast quarter of section 31, the west half of the southwest quarter of section 32, township 22 north, range 5 east, lot 4 of section 5, and lot 1 of section 6, township 21 north, range 5 east of the

Indian meridian, excepting 4 acres reserved for the site of a court-house, to be designated by lot and block upon the official plat of survey of said reservation for county-seat purposes hereafter to be issued by the Commissioner of the General Land Office; said reservation to be additional to the reservations for parks, schools, and other public purposes required to be made by section 22 of the act of May 2, 1890.

Whereas it is provided by act of Congress for temporary government of Oklahoma, approved May 2, 1890, section 23 (26 U. S. Statutes at Large, p. 92), that there shall be reserved public highways 4 rods wide between each section of land in said Territory, the section lines being the center of said highways; but no deduction shall be made, where cash payments are provided for, in the amount to be paid for each quarter section of land by reason of such reservation; and

Whereas all the terms, conditions, and considerations required by said agreements made with said nation and tribes of Indians and by the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, complied with:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned and by other the laws of the United States and by said several agreements, do hereby declare and make known that all the lands acquired from the Cherokee Nation of Indians, the Tonkawa tribe of Indians, and the Pawnee tribe of Indians by the three several agreements aforesaid will at the hour of 12 o'clock noon (central standard time) on Saturday, the 16th day of the month of September, A. D. 1893, and not before, be opened to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreements, the statutes above specified, the laws of the United States applicable thereto, and the conditions prescribed by this proclamation, saving and excepting lands described and identified as follows, to wit: The lands set apart for the Osage and Kansas Indians, being a tract of country bounded on the north by the State of Kansas, on the east by the ninety-sixth degree of west longitude, on the south and west by the Creek country and the main channel of the Arkansas River; the lands set apart for the Confederated Otoe and Missouria tribes of Indians, described as follows, to wit: Township 22 north, range 1 east; township 23 north, range 1 east; township 22 north, range 2 east; township 23 north, range 2 east; township 22 north, range 3 east; and that portion of township 23 north, range 3 east, lying west of the Arkansas River; and the lands set apart for the Ponca tribe of Indians, described as follows, to wit: Township 24 north, range 1 east; township 25 north, range 1 east; fractional township 24 north, range 2 east; fractional township 25 north, range 2 east; fractional township 24 north, range 3 east; fractional township 25 north, range 3 east; fractional township 24 north, range 4 east; fractional township 25 north, range 4 east, the said fractional townships lying on the right bank of the Arkansas

River; excepting also the lands allotted to the Indians as in said agreements provided; excepting also the lands reserved by Executive orders dated April 18, 1882, and January 17, 1883 (known as Camp Supply Military Reservation), described as follows, to wit: Township 24 north, range 22 west; the south half of township 25 north, range 22 west; and the southwest quarter of township 25 north, range 21 west; excepting also 1 acre of land in each of the reservations for county-seat purposes in Counties M, N, O, and P, which tracts are hereby reserved for Government use as sites for land offices, and 4 acres in each reservation for county-seat purposes hereinbefore named, which tracts are hereby reserved as sites for court-houses; and excepting also the reservations for the use of and in connection with the Chilocco Indian Industrial School and for county-seat purposes hereinbefore described; excepting also the saline lands covered by three leases made by the Cherokee Nation prior to March 3, 1893, known as the Eastern, Middle, and Western Saline reserves, under authority of the act of Congress of August 7, 1882 (22 U. S. Statutes at Large, p. 349), said lands being described and identified as follows: The Eastern Saline Reserve embracing all of section 6; lots 3 and 4 of section 4; the south half of the northeast quarter, the south half of the northwest quarter, the north half of the southwest quarter, and lots 1, 2, 3, and 4 of section 5; and the northeast quarter of the northwest quarter and lots 1 and 2 of section 7, township 25 north, range 9 west. All of sections 6, 7, 8, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, and 33; the southwest quarter, the southwest quarter of the northwest quarter, and lots 2, 3, 4, 5, 6, and 7 of section 5; the southwest quarter, the southwest quarter of the northwest quarter, the southwest quarter of the southeast quarter, and lot 1 of section 9; the west half of the southwest quarter of section 15; the west half, the southeast quarter, the west half of the northeast quarter, and the southeast quarter of the northeast quarter of section 16; the west half, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 22; the west half, the west half of the southeast quarter, the northeast quarter of the southeast quarter, and the southwest quarter of the northeast quarter of section 26; the northwest quarter, the north half of the southwest quarter, the west half of the northeast quarter, and the northeast quarter of the northeast quarter of section 34; and the northwest quarter of the northwest quarter of section 35, township 26 north, range 9 west. All of section 31; the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter, and lot 4 of section 30; and lots 3 and 4 of section 32, township 27 north, range 9 west. All of sections 1, 2, 3, 4, 9, 10, and 11; the southeast quarter, the south half of the northeast quarter, the east half of the southwest quarter, the southeast quarter of the northwest quarter, and lots 1, 2, and 3 of section 5; the east half, the southwest quarter, and the east half of the northwest quarter of section 8; the north half, the north half of the southwest quarter, the southwest quarter of the southwest

quarter, and the northwest quarter of the southeast quarter of section 12; the northwest quarter, the northwest quarter of the northeast quarter, the north half of the southwest quarter, and the southwest quarter of the southwest quarter of section 14; the north half, the southeast quarter and the north half of the southwest quarter of section 15; and the northeast quarter and the north half of the northwest quarter of section 16, township 25 north, range 10 west. All of sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36; the south half of the northeast quarter, the southeast quarter of the northwest quarter, the southeast quarter, the east half of the southwest quarter, and lots 1, 2, and 3 of section 4; the east half, the southwest quarter, the east half of the northwest quarter, and the southwest quarter of the northwest quarter of section 9; the southeast quarter of the southeast quarter of section 17; the east half of the northeast quarter and the east half of the southeast quarter of section 20; the southeast quarter and the east half of the northeast quarter of section 29; and the east half and the southeast quarter of the southwest quarter of section 32 of township 26 north, range 10 west. All of sections 22, 26, 27, 34, 35, and 36; the east half of the northeast quarter and the east half of the southeast quarter of section 21; the southwest quarter, the west half of the southeast quarter, the south half of the northwest quarter, and lots 1 and 6 of section 23; the southwest quarter, the west half of the southeast quarter, the southeast quarter of the southeast quarter, the south half of the northwest quarter, and lot 1 of section 25; the east half of section 28; and the east half and the southeast quarter of the southwest quarter of section 33, township 27 north, range 10 west. The Middle Saline Reserve embracing the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, the west half of the southeast quarter, the east half of the southwest quarter, and lots 2, 3, 4, 5, 6, and 7 of section 6; and the northwest quarter of the northeast quarter, the northeast quarter of the northwest quarter, and lot 1 of section 7, township 26 north, range 18 west. The southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter, and lot 7 of section 6; the west half of the northeast quarter, the east half of the northwest quarter, the west half of the southeast quarter, the east half of the southwest quarter, and lots 1, 2, 3, and 4 of section 7; the west half of the northeast quarter, the east half of the northwest quarter, the west half of the southeast quarter, the east half of the southwest quarter, and lots 1, 2, 3, and 4 of section 18; the west half of the northeast quarter, the east half of the northwest quarter, the west half of the southeast quarter, the east half of the southwest quarter, and lots 1, 2, 3, and 4 of section 19; the northwest quarter of the northeast quarter, the northeast quarter of the northwest quarter, and lots 1, 2, 3, 4, 6, 7, and 8 of section 30; and the west half of the northeast quarter, the east half of the northwest quarter, the west half of the southeast quarter, the east half of the southwest quarter, and lots 1, 2, 3, and 4 of section 31, township 27

north, range 18 west. All of sections 1 to 6, inclusive; the north half of the north half of sections 8, 9, 10, 11, and 12; and the north half of the northeast quarter, the northeast quarter of the northwest quarter, and lot 1 of section 7, township 26 north, range 19 west. All of sections 7 to 36, inclusive; the south half of the south half of sections 1, 2, 3, 4, and 5, and the south half of the southeast quarter, the southeast of the southwest quarter, and lot 7 of section 6, township 27 north, range 19 west. All of sections 1 and 2; the south half of the northeast quarter, the southeast quarter, and lots 1 and 2 of section 3; the north half of the northeast quarter of section 10; and the north half of the north half of sections 11 and 12, township 26 north, range 20 west. All of sections 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36; the south half of the southeast quarter and lot 7 of section 1; the southwest quarter of the southwest quarter and lot 6 of section 2; the south half of the southeast quarter of section 3; and the east half of sections 10, 15, 22, 27, and 34, township 27 north, range 20 west. And the Western Saline Reserve embracing all of sections 18, 19, 30, and 31, township 29 north, range 20 west; and all of sections 13, 14, 23, 24, 25, 26, 35, and 36, township 29 north, range 21 west. Excepting also that section 13 in each township, which has not been otherwise reserved or disposed of, is hereby reserved for university, agricultural-college, and normal-school purposes, subject to the action of Congress; excepting also that section 33 in each township, which has not been otherwise reserved or disposed of, is hereby reserved for public buildings; excepting also sections 16 and 36 in each township, which are reserved by law for the use and benefit of the public schools; excepting also all selections and allotments made under the law and the agreements herein referred to, the lands covered by said selections and allotments to be particularly described and identified; said descriptions to be furnished by the Commissioner of the General Land Office and posted in the several booths hereinafter referred to as those where certain preliminary declarations are to be made prior to the day named in this proclamation as that when the strip will be open to settlement.

Said lands so to be opened as herein proclaimed shall be entered upon and occupied only in the manner and under the provisions following, to wit:

A strip of land 100 feet in width around and immediately within the outer boundaries of the entire tract of country to be opened to settlement under this proclamation is hereby temporarily set apart for the following purposes and uses, viz:

Said strip, the inner boundary of which shall be 100 feet from the exterior boundary of the country known as the Cherokee Outlet, shall be open to occupancy in advance of the day and hour named for the opening of said country by persons expecting and intending to make settlement pursuant to this proclamation. Such occupancy shall not be regarded as trespass or in violation of this proclamation or of the law under which it is made, nor shall any settlement rights be gained thereby.

The Commissioner of the General Land Office shall, under the direction of the Secretary of the Interior, establish on said 100-foot strip booths, to be located as follows: One in township 29 north, range 2 east; one in township 29 north, range 2 west; one in township 29 north, range 4 west; one in township 29 north, range 8 west; one in township 29 north, range 12 west; one in township 20 north, range 3 east; one in township 20 north, range 2 west; one in township 20 north, range 7 west; and one in township 20 north, range 26 west; and shall place in charge thereof three officers to each booth, who shall be detailed from the General Land Office. Said booths shall be open for the transaction of business on and after Monday, the 11th day of the month of September, A. D. 1893, from 7 a. m. to 12 m. and 1 p. m. to 6 p. m. each business day until the same shall be discontinued by the Secretary of the Interior, who is hereby authorized to discontinue the same at his discretion. Each party desiring to enter upon and occupy as a homestead any of the lands hereby opened to settlement will be required to first appear at one of the before-mentioned booths and make a declaration in writing, to be signed by the party in the presence of one of the officers in charge thereof, which shall be certified by such officer, according to the form hereto attached and made a part hereof marked A, showing his or her qualifications to make homestead entry for said lands, whereupon a certificate will be issued by the officers in charge of the booth to the party making the declaration, which shall be of the form hereto attached and made a part hereof marked D.

Where a party desires to file a soldier's declaratory statement in person, he will be required to make a declaration which shall be of the form hereto attached and made a part hereof marked B, the same to be made and subscribed before one of the officers in charge of the booth and certified by such officer, independently of the affidavit (Form 4–546) to be filed when he presents the certificate of Form D, there given him, to the district officers. Where a party desires to file a declaratory statement through an agent, it will be necessary for him previously to make the affidavit ordinarily required (Form 4–545) before some officer authorized to administer oaths and place the same in the hands of the agent, who, before being permitted to enter upon the lands to be opened in said outlet for the purpose of making the desired filing, will be required to appear before the officers in charge of some one of the booths, to present the said affidavit of the party authorizing him to act as such agent, and to make a declaration in writing, to be subscribed by him in the presence of one of such officers, which shall be certified by such officer, according to the form hereto attached and made a part hereof marked C, whereupon a certificate of Form D will be given him by said officer. The agent should be provided with affidavits of Form 4–545 made in duplicate—one for presentation to the officers in charge of the booth and the other for presentation to the district officers when formal filing is to be made.

Each party desiring to enter upon said lands for the purpose of settling upon a town lot will be required to first appear at one of the beforementioned booths and make a declaration in writing, to be signed by the party in the presence of one of the officers in charge thereof, which shall be certified by such officer, according to the form hereto attached and made a part hereof marked E, whereupon a certificate will be issued by the officers in charge of the booth to the party making the declaration, which shall be of the form hereto attached and made a part hereof marked F.

The said declarations made before the officers in charge shall be given consecutive numbers, beginning at No. 1 at each booth, and the certificate issued to the party making the declaration shall be given the same number as is given the declaration. The declaration shall be carefully preserved by the officers in charge of the booths, and when the booths are discontinued said declarations shall be transmitted, together with the duplicate affidavits (Form 4–545) hereinbefore required to be presented in case of agents proposing to act for soldiers in filing declaratory statements, to the General Land Office for filing as a part of the records pertaining to the disposal of said lands.

The certificate will be evidence only that the party named therein is permitted to go in upon the lands opened to settlement by this proclamation at the time specified herein, and the certificate of Form D must be surrendered when application to enter or file is presented to the district officers, and the party's right to make a filing, homestead entry, or settlement shall be passed upon by the district land officers at the proper time and in the usual manner. The holder of such certificate will be required when he makes his homestead affidavit, or, if a soldier or soldier's agent, when he files a declaratory statement at the district office, to allege under oath before the officers taking such homestead affidavit or to whom said declaratory statement is presented for filing that all the statements contained in the declaration made by him, upon which said certificate is based, are true in every particular, such oath to be added to affidavit of Form 4–102, as shown on form hereto attached and made a part hereof marked 102*d*.

After the hour and day hereinbefore named when said lands will be opened to settlement all parties holding such certificates (Form D or F) will be permitted to occupy or enter upon the lands so opened, and parties holding a certificate of Form D may initiate a homestead claim, either by settlement upon the land or by entry or filing at the proper district office; but no person not holding any such certificate shall be permitted to occupy or enter upon any of said lands until after the booths shall have been discontinued by direction of the Secretary of the Interior. Until then the officers of the United States are expressly charged to permit no party without a certificate to occupy or enter upon any of said lands.

The following rules and regulations have been prescribed by the Sec-

retary of the Interior, under the direction of the President, as provided by section 10 of said act of March 3, 1893, for the occupation and settlement of the lands hereby opened, to wit:

The thirteenth section of the act approved March 2, 1889, the act approved May 2, 1890, the second proviso of section 17 and the whole of section 18 of the act approved March 3, 1891, are by section 10 of the act of March 3, 1893, made applicable in disposing of the lands under said section 10, and said lands are thereby rendered subject to disposal under the homestead and town-site laws only, with certain modifications, which laws as so modified contain provisions substantially as follows:

1. Any party will be entitled to initiate a homestead claim to a tract of said lands who is over 21 years of age or the head of a family; who is a citizen of the United States or has declared his intention to become such; who has not exhausted his homestead right either by perfecting a homestead entry for 160 acres of land under any law, excepting what is known as the commuted provision of the homestead law contained in section 2301 of the United States Revised Statutes, or by making or commuting a homestead entry since March 2, 1889; who has not entered since August 30, 1890, under the land laws of the United States or filed upon a quantity of land agricultural in character and not mineral which with the tracts sought to be entered in any case would make more than 320 acres; who is not the owner in fee simple of 160 acres of land in any State or Territory, and who has not entered upon or occupied the lands hereby opened in violation of this the President's proclamation opening the same to settlement and entry. (See section 2289, U. S. Revised Statutes; act of March 2, 1889, 25 U. S. Statutes at Large, p. 854; section 13 of the act of March 2, 1889, 25 U. S. Statutes at Large, p. 1005; act of August 30, 1890, 26 U. S. Statutes at Large, p. 391; section 20, act of May 2, 1890, 26 U. S. Statutes at Large, p. 91, and section 10, act of March 3, 1893, 27 U. S. Statutes at Large, p. 640.)

2. Each entry shall be in a compact body, according to the rectangular subdivisions of the public surveys, and in a square form, as nearly as reasonably practicable consistently with such surveys; and no person shall be permitted to enter more than one quarter section in quantity of said lands. (See section 13, act of March 2, 1889, 25 U. S. Statutes at Large, p. 1005.)

3. Parties who own and reside upon land (not acquired by them under the homestead law) not amounting in quantity to a quarter section may, if otherwise qualified, enter other land lying contiguous to their own to an amount which shall not with the land already owned by them exceed in the aggregate 160 acres. (See section 2289, U. S. Revised Statutes.)

4. Any party who has made a homestead entry prior to March 2, 1889, for less than one quarter section of land and who still owns and occupies the land so entered may, if otherwise qualified, enter an additional tract of land lying contiguous to the land embraced in the original entry, which

shall not with the land first entered exceed in the aggregate 160 acres; but such additional entry will not be permitted, or if permitted will be canceled, if the original entry should fail for any reason prior to patent or should appear to be illegal or fraudulent. The final proof of residence and cultivation made on the original entry, together with the payment of the prescribed price for the land, will be sufficient to entitle the party to a final certificate for the land so entered without further proof. (See section 5 of the act of March 2, 1889, 25 U. S. Statutes at Large, p. 854.)

5. Parties who have complied with the conditions of the law with regard to a homestead entry for less than 160 acres of land made prior to March 2, 1889, and have had the final papers issued therefor, may, if otherwise qualified, make an additional entry, by legal subdivisions, of so much land as added to the quantity previously so entered shall not exceed 160 acres. Parties making entry under the provisions set forth in this paragraph will be required to reside upon and cultivate the land embraced therein for the prescribed period and to submit proof of residence and cultivation of a like character with that required in ordinary homestead entries before the issuance of a final certificate. (See section 6, act of March 2, 1889, 25 U. S. Statutes at Large, p. 854.)

6. Any officer, soldier, seaman, or marine who served for not less than ninety days in the Army or Navy of the United States during the War of the Rebellion and who was honorably discharged and has remained loyal to the Government, or, in case of his death, his widow, or, in case of her death or remarriage, his minor orphan children, by a guardian duly appointed and officially accredited at the Department of the Interior, may, either in person or by agent, file a declaratory statement for a tract of land and have six months thereafter within which to make actual entry and commence residence and improvements upon the land. (See sections 2304, 2307, and 2309, U. S. Revised Statutes.)

7. Every person entitled under the preceding paragraph to enter a homestead who, or whose deceased husband or father, in case of the widow or minor children, may have prior to June 22, 1874, entered under the homestead laws a quantity of land less than 160 acres may, if otherwise qualified, enter so much land as when added to the quantity previously entered shall not exceed 160 acres; but the party must make affidavit that the entry is made for actual settlement and cultivation, and the proof of such settlement and cultivation prescribed by existing homestead laws and regulations thereunder will be required to be produced before the issue of final certificate. (See section 2306, U. S. Revised Statutes, and section 18 of the act of May 2, 1890, 26 U. S. Statutes at Large, p. 90.)

8. Parties may initiate claims under the homestead law either by settlement on the land or by entry at the district office. In the former case the party will have three months after settlement within which to file his application for the tract at the district office; in the latter case the party

will have six months after entry at that office within which to establish residence and begin improvements upon the land. (See sections 2290 and 2297, U. S. Revised Statutes, and section 3 of the act of May 14, 1880, 21 U. S. Statutes at Large, p. 140.)

9. The homestead affidavits required to be filed with the application must be executed before the register or receiver of the proper district land office (see section 2290, U. S. Revised Statutes) or before any other officer who may be found duly qualified at the time to administer such oaths, according to the provisions of the act of Congress of May 26, 1890 (26 U. S. Statutes at Large, p. 121).

10. Parties applying to make homestead entry will be required to tender with the application the legal fee and commissions, which are as follows: For an entry of over 80 acres a fee of $10, and for an entry of 80 acres or less a fee of $5, and in both cases, in addition, commissions of 2 per cent upon the Government price of the land, computed at the rate of $1.25 per acre, the ordinary minimum price of public lands under the general provisions of section 2357, United States Revised Statutes. (See sections 2238 and 2290, U. S. Revised Statutes.)

11. Homestead applicants appearing in great number at the local office to make entry at the time of opening will be required to form in line, in order that their applications may be presented and acted upon in regular order.

12. Soldiers' declaratory statements can only be made by the parties entitled or by their agents in person, and will not be received if sent by mail. A party acting as agent and appearing in line, as contemplated under the eleventh paragraph, will be allowed to make one entry or filing in his individual character, if he so desires, and to file one declaratory statement in his representative character as agent, if such he shall be, and thereupon he will be required to step out of line, giving place to the next person in order, and, if he desires to make any other filings, to take his place at the end of the line and await his proper turn before doing so, and thus to proceed in order until all the filings desired by him shall be made.

13. Section 2301 of the Revised Statutes of the United States, providing for commutation of homestead entries, is not applicable to said lands. (See section 18 of the act of May 2, 1890, 26 U. S. Statutes at Large, p. 90.)

14. Proof of five years' residence, cultivation, and improvement and the payment prescribed by the statute, as hereinbefore mentioned, must be made before a party will be entitled to a patent under the homestead law, and such proof is required to be made within seven years from the date of the entry. Commissions equal to 2 per cent upon the Government price for the land, computed at $1.25 per acre, under section 2357, United States Revised Statutes, must also be tendered with the final proof. Interest at 4 per cent per annum on the purchase price of the land must

be paid from the date of the entry to date of final payment of purchase money. (See sections 2238 and 2291, U. S. Revised Statutes, and sections 10 and 13 of the act of March 3, 1893, 27 U. S. Statutes at Large, p. 640.)

15. The parties named in paragraph 6 of these regulations are entitled to have the term of service in the Army or Navy under which the claim is made, not exceeding four years, deducted from the period of five years' residence or cultivation required as stated in the preceding paragraph, or, if the party was discharged from service on account of wounds or disabilities incurred in the line of duty, the whole term of enlistment, not exceeding four years, may be deducted. (See section 2305, U. S. Revised Statutes.)

16. Where a homestead settler dies before the consummation of his claim, the widow, or, in case of her death, the heirs or devisee, may continue settlement or cultivation and obtain title upon requisite proof at the proper time. If the widow proves up, title will pass to her; if she dies before proving up and the heirs or devisee make the proof, the title will vest in them, respectively. (See section 2291, U. S. Revised Statutes.)

17. Where both parents die, leaving infant children, the homestead may be sold for cash for the benefit of such children, and the purchaser will receive title from the United States. (See section 2292, U. S. Revised Statutes.)

18. In case of the death of a person after having entered a homestead the failure of the widow, children, or devisee of the deceased to fulfill the demands of the letter of the law as to residence on the lands will not necessarily subject the entry to forfeiture on the ground of abandonment. If the land is cultivated in good faith, the law will be considered as having been substantially complied with.

19. Town-site claims may be initiated upon said lands under the statutes by two methods, which are separate and distinct in character. The regulations under the first method are hereinafter set forth in paragraphs 20, 21, and 22, and under the second method in paragraphs 23 to 28, inclusive. Provision is further made for town-site entries in cases where lands entered under the homestead law are required for town-site purposes, as set forth in paragraph 30.

20. Parties having founded or who desire to found a city or town on the public lands must file with the recorder of the county in which land is situate a plat thereof, describing the exterior boundaries of the land according to the lines of public surveys. Such plat must state the name of the city or town, exhibit the streets, squares, blocks, lots, and alleys, and specify the size of the same, with measurements and area of each municipal subdivision the lots in which shall not exceed 4,200 square feet, with a statement of the extent and general character of the improvements. The plat and statement must be verified by the oath of the party, acting for and in behalf of the occupants and inhabitants of the town or

city. Within one month after filing the plat with the recorder of the county a verified copy of said plat and statement must be sent to the General Land Office, accompanied by the testimony of two witnesses that such town or city has been established in good faith, and a similar map and statement must be filed with the register and receiver of the proper district office. Thereafter the President may cause the lots embraced within the limits of such city or town to be offered at public sale to the highest bidder, subject to a minimum of $10 for each lot; and such lots as may not be disposed of at public sale shall thereafter be liable to private entry at such minimum or at such reasonable increase or diminution thereafter as the Secretary of the Interior may order from time to time, after at least three months' notice, in view of the increase or decrease in the value of the municipal property. Any actual settler upon any lot and upon any additional lot upon which he may have substantial improvements shall be entitled to prove up and purchase the same as a preemption, at such minimum, at any time before the day fixed for the public sale. (See section 2382, U. S. Revised Statutes.)

21. In case the parties interested shall fail or refuse within twelve months after founding a city or town to file in the General Land Office a transcript map, with the statement and testimony, as required in paragraph 20, the Secretary of the Interior may cause a survey and plat to be made of said city or town, and thereafter the lots will be sold at an increase of 50 per cent on the minimum price of $10 per lot. (See section 2384, U. S. Revised Statutes.)

22. When lots vary in size from the limitation of 4,200 square feet and the lots, buildings, and improvements cover an area greater than 640 acres, such variance as to size of lots or excess in area will prove no bar to entry, but the price of the lots may be increased to such reasonable amount as the Secretary of the Interior may by rule establish. (See section 2385, U. S. Revised Statutes.)

23. Under the second method lands actually settled upon and occupied as a town site, and therefore not subject to entry under the homestead laws, may be entered as a town site at the proper district land office. (See section 2387, U. S. Revised Statutes.)

24. If the town is incorporated, the entry may be made by the corporate authorities thereof through the mayor or other principal officer duly authorized so to do. If the town is not incorporated, the entry may be made by the judge of the county court for the county in which said town is situated. In either case the entry must be made in trust for the use and benefit of the occupants thereof according to their respective interests. The execution of such trust as to the disposal of lots and the proceeds of sales is to be conducted under regulations prescribed by the territorial laws. Acts of trustees not in accordance with such regulations are void. (See sections 2387 and 2391, U. S. Revised Statutes.)

25. The officer authorized to enter a town site may make entry at once,

or he may initiate an entry by filing a declaratory statement of the purpose of the inhabitants to make a town-site entry of the land described. The entry or declaratory statement shall include only such land as is actually occupied by the town and the title to which is in the United States, and its exterior limits must conform to the legal subdivisions of the public lands. (See sections 2388 and 2389, U. S. Revised Statutes.)

26. The amount of land that may be entered under this method is proportionate to the number of inhabitants. One hundred and less than 200 inhabitants may enter not to exceed 320 acres; 200 and less than 1,000 inhabitants may enter not to exceed 640 acres; and where the inhabitants number 1,000 and over an amount not to exceed 1,280 acres may be entered, and for each additional 1,000 inhabitants, not to exceed 5,000 in all, a further amount of 320 acres may be allowed. When the number of inhabitants of a town is less than 100, the town site shall be restricted to the land actually occupied for town purposes by legal subdivisions. (See section 2389, U. S. Revised Statutes.)

27. Where an entry is made of less than the maximum quantity of land allowed for town-site purposes, additional entries may be made of contiguous tracts occupied for town purposes which when added to the previous entry or entries will not exceed 2,560 acres; but no additional entry can be allowed which will make the total area exceed the area to which the town may be entitled by virtue of its population at date of additional entry. (See section 4 of the act of March 3, 1877, 19 U. S. Statutes at Large, p. 392.)

28. The land must be paid for at the Government price per acre, and proof must be furnished relating, first, to municipal occupation of the land; second, number of inhabitants; third, extent and value of town improvements; fourth, date when land was first used for town-site purposes; fifth, official character and authority of officer making entry; sixth, if an incorporated town, proof of incorporation, which should be a certified copy of the act of incorporation, and, seventh, that a majority of the occupants or owners of the lots within the town desire that such action be taken. Thirty days' publication of notice of intention to make proof must be made and proof of publication furnished. (See section 2387, U. S. Revised Statutes.)

29. All surveys for town sites on said lands shall contain reservations for parks (of substantially equal area if more than one park) and for schools and other public purposes, embracing in the aggregate not less than 10 nor more than 20 acres, and patents for such reservations, to be maintained for such purposes, will be issued to the towns respectively when organized as municipalities. (See section 22, act of May 2, 1890, 26 U. S. Statutes at Large, p. 92.)

30. In case any of said lands which may be entered under the homestead laws by a person who is entitled to perfect his title thereto under such laws are required for town-site purposes, the entryman may apply

Government Printing Office

to the Secretary of the Interior to purchase the lands embraced in said homestead, or any part thereof not less than a legal subdivision, for town-site purposes. The party must file in the district office with his application a plat of the proposed town site and evidence of his qualifications to perfect title under the homestead law and of his compliance with all the requirements of the law and the instructions thereunder, and must deposit with the Secretary of the Interior the sum of $10 per acre for all the lands embraced in such town site, except the lands to be donated and maintained for public purposes as mentioned in the preceding paragraph. (See section 22, act of May 2, 1890, 26 U. S. Statutes at Large, p. 92.)

Notice, moreover, is hereby given that it is by law enacted that no person shall be permitted to occupy or enter upon any of the lands herein referred to except in the manner prescribed by this proclamation, and any person otherwise occupying or entering upon any of said lands shall forfeit all right to acquire any of said lands, and that the officers of the United States will be required to enforce this provision.

And further notice is hereby given that four land districts have been established in Oklahoma Territory, with boundaries as follows:

The Perry district, bounded and described as follows: Beginning at the middle of the main channel of the Arkansas River where the same is intersected by the northern boundary of Oklahoma Territory; thence west to the northwest corner of township 29 north, range 2 west of the Indian meridian; thence south on the range line between ranges 2 and 3 west to the southwest corner of lot 3 of section 31, township 20 north, range 2 west; thence east to the southeast corner of lot 4 of section 36, township 20 north, range 4 east; thence south on the range line between ranges 4 and 5 east to the middle of the main channel of the Cimarron River; thence down said river, in the middle of the main channel thereof, to the western boundary of the Creek country; thence north to the northwest corner of the Creek country; thence east on the northern boundary of said Creek country to the middle of the main channel of the Arkansas River; thence up said river, in the middle of the main channel thereof, to the place of beginning; the local land office of which will be located at the town of Perry, in County P.

The Enid district, bounded and described as follows: Beginning at the northeast corner of township 29 north, range 3 west of the Indian meridian; thence west to the northwest corner of township 29 north, range 8 west; thence south on the range line between ranges 8 and 9 west to the southwest corner of lot 3 of section 31, township 20 north, range 8 west; thence east to the southeast corner of lot 4 of section 36, township 20 north, range 3 west; thence north on the range line between ranges 2 and 3 west to the place of beginning; the local land office of which will be located at the town of Enid, in County O.

The Alva district, bounded and described as follows: Beginning at the northeast corner of township 29 north, range 9 west of the Indian

meridian; thence west to the northwest corner of township 29 north, range 16 west; thence south on the range line between ranges 16 and 17 west to the southwest corner of lot 3 of section 31, township 20 north, range 16 west; thence east to the southeast corner of lot 4 of section 36, township 20 north, range 9 west; thence north on the range line between ranges 8 and 9 west to the place of beginning; the local land office of which will be located at the town of Alva, in County M.

The Woodward land district, bounded and described as follows: Beginning at the northeast corner of township 29 north, range 17 west of the Indian meridian; thence west to the northwest corner of township 29 north, range 26 west; thence south to the southwest corner of lot 3 of section 32, township 20 north, range 26 west; thence east to the southeast corner of lot 4 of section 36, township 20 north, range 17 west; thence north on the range line between ranges 16 and 17 west to the place of beginning; the local land office of which will be located at the town of Woodward, in County N.

And further notice is hereby given that the line of 97½° west longitude, named herein for the purpose of disposing of the land hereby opened to settlement, is held to fall on the west line of sections 2, 11, 14, 23, 26, and 35 of the townships in range 3 west of the Indian meridian, and the line of 98½° of west longitude is held to fall on the line running due north and south through the centers of sections 4, 9, 16, 21, 28, and 33 of the townships in range 12 west of the Indian meridian, and said lines have been so laid down upon the township plats on file in the General Land Office.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 19th day of August, A. D. 1893, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM,

Secretary of State.

A.

DECLARATION REQUIRED BY PRESIDENT'S PROCLAMATION OF AUGUST 19, 1893, PREPARATORY TO OCCUPYING OR ENTERING UPON THE LANDS OF THE CHEROKEE OUTLET FOR THE PURPOSE OF MAKING A HOMESTEAD ENTRY.

No. ——.

BOOTH IN T. —— N., R. ——, ——, *1893*.

I, ——, of ——, being desirous of occupying or entering upon the lands opened to settlement by the President's proclamation of August 19, 1893, for the purpose of making a homestead entry, do solemnly declare that I am over 21 years of age or the head of a family; that I am a citizen of the United States (or have declared my intention to become such); that I have not perfected a homestead entry for 160 acres of land under any law except what is known as the commuted provision of the

homestead law contained in section 2301, Revised Statutes, nor have I made or commuted a homestead entry since March 2, 1889;* ——— that I have not entered since August 30, 1890, under the land laws of the United States or filed upon a quantity of land agricultural in character and not mineral which with the tracts now desired would make more than 320 acres; that I am not the owner in fee simple of 160 acres of land in any State or Territory; that I have not entered upon or occupied, nor will I enter upon or occupy, the lands to be opened to settlement by the President's proclamation of August 19, 1893, in violation of the requirements of said proclamation; that I desire to make entry for the purpose of actual settlement and cultivation, and not for the benefit of any other person, persons, or corporation; that I will faithfully and honestly endeavor to comply with all the requirements of law as to settlement, residence, and cultivation necessary to acquire title to the land I may select; that I am not acting as agent of any person, corporation, or syndicate in entering upon said lands, nor in collusion with any person, corporation, or syndicate to give them the benefit of the land I may enter, or any part thereof, or the timber thereon; that I do not apply to enter upon said lands for the purpose of speculation, but in good faith to obtain a home for myself; and that I have not, directly or indirectly, made and will not make any agreement or contract in any way or manner with any person or persons, corporation, or syndicate whatsoever by which the title which I may acquire from the Government of the United States should inure in whole or in part to the benefit of any person except myself.

——— ———.

I certify that the foregoing declaration was made and subscribed before me this —— day of ———, 1893.

——— ———, *Officer in Charge.*

*NOTE.—If the party has made a homestead entry since March 2, 1889, but has failed or is unable to perfect title to the land covered thereby because of a valid adverse claim or other invalidity existing at the date of its inception, strike out the words "made or" and insert in the blank space *that I have made a homestead entry since March 2, 1889, but have failed or am unable to perfect title to the land covered thereby because of a valid adverse claim or other invalidity existing at the date of its inception.*

B.

DECLARATION REQUIRED BY PRESIDENT'S PROCLAMATION OF AUGUST 19, 1893, PREPARATORY TO OCCUPYING OR ENTERING UPON THE LANDS OF THE CHEROKEE OUTLET FOR THE PURPOSE OF FILING A SOLDIER'S DECLARATORY STATEMENT IN PERSON.

No. ——.

BOOTH IN T. ——— N., R. ———, ———, *1893.*

I, ———, of ——— County and State or Territory of ———, do solemnly declare that I served for a period of ——— in the Army of the United States during the War of the Rebellion and was honorably discharged therefrom, as shown by a statement of such service herewith, and that I have remained loyal to the Government; that I have not perfected a homestead entry for 160 acres of land under any law except what is known as the commuted provision of the homestead law contained in section 2301, Revised Statutes, nor have I filed a declaratory statement under sections 2304 and 2309 of the Revised Statutes or made or commuted a homestead entry since March 2, 1889;* ——— that I have not entered since August 30, 1890, under the land laws of the United States or filed upon a quantity of land agricultural in character and not mineral which with the tracts now desired would make more than 320 acres; that I am not the owner in fee simple of 160 acres of land in any State or Territory; that I have not entered upon or occupied, nor will I enter upon or occupy, the lands to be opened to settlement by the President's proclamation of August 19, 1893, in violation of said proclamation; that I intend to file a soldier's declaratory statement

upon said lands, which location will be made for my exclusive use and benefit, for the purpose of my actual settlement and cultivation, and not, either directly or indirectly, for the use and benefit of any other person.

——— ———.

I certify that the foregoing declaration was made and subscribed before me this —— day of ———, 1893.

——— ———, *Officer in Charge.*

*NOTE.—If the party has made an entry or filing since March 2, 1889, to which he is unable to perfect title because of a valid adverse claim or other invalidity existing at the date of its inception, strike out the words "filed a declaratory statement under sections 2304 and 2309 of the Revised Statutes, or made or" and insert in the blank space *that I have made an entry or filing since March 2, 1889, but have failed or am unable to perfect title to the land covered thereby because of a valid adverse claim or other invalidity existing at the date of its inception.*

C.

DECLARATION REQUIRED BY PRESIDENT'S PROCLAMATION OF AUGUST 19, 1893, PREPARATORY TO ENTERING UPON THE LANDS OF THE CHEROKEE OUTLET FOR THE PURPOSE OF FILING A SOLDIER'S DECLARATORY STATEMENT AS AGENT.

No. ——.

BOOTH IN T. ——— N., R. ———, ———, *1893*.

I, ———, of ———, desiring to enter upon the Cherokee Outlet for the purpose of filing a soldier's declaratory statement under sections 2304 and 2309, United States Revised Statutes, as agent of ———, do hereby declare that I have no interest or authority in the matter, present or prospective, beyond the filing of such declaratory statement as the true and lawful attorney of the said ——— as provided by said sections 2304 and 2309.

——— ———.

I certify that the foregoing declaration was made and subscribed before me this —— day of ———, 1893.

——— ———, *Officer in Charge.*

D.

CERTIFICATE THAT MUST BE HELD BY PARTY DESIRING TO OCCUPY OR TO ENTER UPON THE LANDS OPENED TO SETTLEMENT BY THE PRESIDENT'S PROCLAMATION OF AUGUST 19, 1893, FOR THE PURPOSE OF MAKING A HOMESTEAD ENTRY OR FILING A SOLDIER'S DECLARATORY STATEMENT.

No. ——.

BOOTH IN T. ——— N., R. ———, ———, *1893*.

This certifies that ——— has this day made the declaration before me required by the President's proclamation of August 19, 1893, and he is therefore permitted to go in upon the lands opened to settlement by said proclamation at the time named therein for the purpose of making a homestead entry or filing a soldier's declaratory statement.

It is agreed and understood that this certificate will not prevent the district land officers from passing upon the holder's qualifications to enter or file for any of said lands at the proper time and in the usual manner, and that the holder will be required when he makes his homestead affidavit, or, if a soldier or a soldier's agent, when he files a declaratory statement at the district office, to allege under oath before the officer taking such homestead affidavit or to whom said declaratory statement is presented for filing that all of the statements contained in the declaration made by him, upon which this certificate is based, are true in every particular.

——— ———, *Officer in Charge.*

This certificate is not transferable. The holder will display the certificate, if demanded, after locating on claim.

E.

DECLARATION REQUIRED BY PRESIDENT'S PROCLAMATION OF AUGUST 19, 1893, PREPARATORY TO OCCUPYING OR ENTERING UPON THE LANDS OF THE CHEROKEE OUTLET FOR THE PURPOSE OF SETTLING UPON A TOWN LOT.

No. ——. BOOTH IN T. —— N., R. ——, ——, *1893*.

I, ——, of ——, being desirous of occupying or entering upon lands opened to settlement by the President's proclamation of August 19, 1893, do solemnly declare that I have not entered upon or occupied, nor will I enter upon or occupy, any of the lands to be opened to settlement by the President's proclamation of August 19, 1893, in violation of the requirements of said proclamation, and that I desire to go in upon said lands for the purpose of settling upon a town lot.

—— ——.

I certify that the foregoing declaration was made and subscribed before me this —— day of ——, 1893.

—— ——, *Officer in Charge.*

F.

CERTIFICATE THAT MUST BE HELD BY PARTY DESIRING TO OCCUPY OR ENTER UPON THE LANDS OPENED TO SETTLEMENT BY THE PRESIDENT'S PROCLAMATION OF AUGUST 19, 1893, FOR THE PURPOSE OF SETTLING UPON A TOWN LOT.

No. ——. BOOTH IN T. —— N., R. ——, ——, *1893*.

This certifies that —— has this day made the declaration before me required by the President's proclamation of August 19, 1893, and he is therefore permitted to go in upon the lands opened to settlement by said proclamation at the time named therein for the purpose of settling upon a town lot.

—— ——, *Officer in Charge.*

This certificate is not transferable. The holder will display the certificate, if demanded, after locating on claim.

4–102*d*.

AFFIDAVIT.

LAND OFFICE AT ——, ——, *1893*.

I, ——, of ——, applying to enter (or file for) a homestead, do solemnly swear that I did not enter upon and occupy any portion of the lands described and declared open to entry in the President's proclamation dated August 19, 1893, prior to 12 o'clock noon of September 16, 1893; also that all of the statements contained in a certain declaration made by me as foundation for obtaining permission to enter upon the Cherokee Outlet in pursuance of requirements of the President's proclamation opening said outlet to settlement are true in every particular.

—— ——.

Sworn to and subscribed before me this —— day of ——, 189—.

—— ——.

NOTE.—This affidavit must be made before the register or receiver of the proper district land office or before some officer authorized to administer oaths and using a seal.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public

lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Oregon within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Oregon and particularly described as follows, to wit:

Beginning at the meander corner at the intersection of the range line between ranges six (6) and seven (7) east, township two (2) north, Willamette meridian, Oregon, with the mean high-water mark on the south bank of the Columbia River in said State; thence northeasterly along said mean high-water mark to its intersection with the township line between townships two (2) and three (3) north; thence easterly along said township line to the northeast corner of township two (2) north, range eight (8) east; thence southerly along the range line between ranges eight (8) and nine (9) east to the southwest corner of township two (2) north, range nine (9) east; thence westerly along the township line between townships one (1) and two (2) north to the northwest corner of township one (1) north, range nine (9) east; thence southerly along the range line between ranges eight (8) and nine (9) east to the southwest corner of township one (1) north, range nine (9) east; thence easterly along the base line to the northeast corner of township one (1) south, range ten (10) east; thence southerly along the range line between ranges ten (10) and eleven (11) east to the southeast corner of township four (4) south, range ten (10) east; thence westerly along the township line between townships four (4) and five (5) south to the southwest corner of township four (4) south, range nine (9) east; thence southerly along the west boundary of township five (5) south, range nine (9) east, to its intersection with the west boundary of the Warm Springs Indian Reservation; thence southwesterly along said Indian-reservation boundary to the southwest corner of said reservation; thence southeasterly along the south boundary of said Indian reservation to a point on the north line of section three (3), township twelve (12) south, range nine (9) east, where said boundary crosses the township line between townships eleven (11) and twelve (12) south, range nine (9) east; thence easterly to the northeast corner of township twelve (12) south, range nine (9) east; thence southerly along the range line between ranges nine (9) and ten (10) east to the southeast corner of township thirteen (13) south, range nine (9) east; thence westerly along the third (3d) standard parallel south to the northeast corner of township

fourteen (14) south, range nine (9) east; thence southerly along the range line between ranges nine (9) and ten (10) east to the southeast corner of township fifteen (15) south, range nine (9) east; thence easterly along the third (3d) standard parallel south to the northeast corner of township sixteen (16) south, range nine (9) east; thence southerly along the range line between ranges nine (9) and ten (10) east to the southeast corner of township twenty (20) south, range nine (9) east; thence easterly along the fourth (4th) standard parallel south to the northeast corner of township twenty-one (21) south, range nine (9) east; thence southerly along the range line between ranges nine (9) and ten (10) east to the southeast corner of township twenty-three (23) south, range nine (9) east; thence westerly along the township line between townships twenty-three (23) and twenty-four (24) south to the southeast corner of township twenty-three (23) south, range six (6) east; thence southerly along the range line between ranges six (6) and seven (7) east to the southwest corner of township twenty-five (25) south, range seven (7) east; thence westerly along the fifth (5th) standard parallel south to the point for the northwest corner of township twenty-six (26) south, range seven (7) east; thence southerly along the surveyed and unsurveyed west boundaries of townships twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), and thirty (30) south to the southwest corner of township thirty (30) south, range seven (7) east; thence westerly along the unsurveyed sixth (6th) standard parallel south to the point for the northwest corner of township thirty-one (31) south, range seven and one-half (7½) east; thence southerly along the surveyed and unsurveyed west boundaries of townships thirty-one (31), thirty-two (32), and thirty-three (33) south, range seven and one-half (7½) east, to the southwest corner of township thirty-three (33) south, range seven and one-half (7½) east; thence easterly along the township line between townships thirty-three (33) and thirty-four (34) south to the northeast corner of township thirty-four (34) south, range six (6) east; thence southerly along the east boundaries of townships thirty-four (34) and thirty-five (35) south, range six (6) east, to the point of intersection of the east boundary of township thirty-five (35) south, range six (6) east, with the west shore of Upper Klamath Lake; thence along said shore of said lake to its intersection with the range line between ranges six (6) and seven (7) east in township thirty-six (36) south; thence southerly along the range line between ranges six (6) and seven (7) east to the southeast corner of township thirty-seven (37) south, range six (6) east; thence westerly along the township line between townships thirty-seven (37) and thirty-eight (38) south to the southwest corner of township thirty-seven (37) south, range four (4) east; thence northerly along the range line between ranges three (3) and four (4) east to the northwest corner of township thirty-six (36) south, range four (4) east; thence easterly along the eighth (8th) standard parallel south to the southwest corner

of township thirty-five (35) south, range four (4) east; thence northerly along the range line between ranges three (3) and four (4) east to the southwest corner of township thirty-one (31) south, range four (4) east; thence westerly along the township line between townships thirty-one (31) and thirty-two (32) south to the southwest corner of township thirty-one (31) south, range one (1) east; thence northerly along the surveyed and unsurveyed Willamette meridian to the northwest corner of township twenty (20) south, range one (1) east; thence easterly along the township line between townships nineteen (19) and twenty (20) south to the northeast corner of township twenty (20) south, range one (1) east; thence northerly along the range line between ranges one (1) and two (2) east to the northwest corner of township eighteen (18) south, range two (2) east; thence easterly along the township line between townships seventeen (17) and eighteen (18) south to the southeast corner of township seventeen (17) south, range two (2) east; thence northerly along the range line between ranges two (2) and three (3) east to the southwest corner of township seventeen (17) south, range three (3) east; thence easterly along the surveyed and unsurveyed township line between townships seventeen (17) and eighteen (18) south to the point for the southeast corner of township seventeen (17) south, range four (4) east; thence northerly along the surveyed and unsurveyed range line between ranges four (4) and five (5) east, subject to the proper easterly or westerly offsets on the third (3d), second (2d), and first (1st) standard parallels south, to the northwest corner of township five (5) south, range five (5) east; thence easterly along the township line between townships four (4) and five (5) south to the southeast corner of township four (4) south, range six (6) east; thence northerly along the range line between ranges six (6) and seven (7) east to the northwest corner of township four (4) south, range seven (7) east; thence easterly along the township line between townships three (3) and four (4) south to the southwest corner of section thirty-four (34), township three (3) south, range seven (7) east; thence northerly along the surveyed and unsurveyed section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) to the northwest corner of section three (3) of said township and range; thence easterly along the surveyed and unsurveyed township line between townships two (2) and three (3) south to the point for the southeast corner of township two (2) south, range eight (8) east; thence northerly along the unsurveyed range line between ranges eight (8) and nine (9) east to the southeast corner of township one (1) south, range eight (8) east; thence westerly along the township line between townships one (1) and two (2) south to the southeast corner of section thirty-four (34), township one (1) south, range eight (8) east; thence northerly along the section line between sections thirty-four (34) and thirty-five (35), twenty-six (26) and twenty-seven (27), and twenty-two (22) and twenty-three (23) to the northeast corner of section twenty-two (22); thence westerly

along the section line between sections fifteen (15) and twenty-two (22) to the southeast corner of section sixteen (16); thence northerly on the section line between sections fifteen (15) and sixteen (16) to the point for the northeast corner of section sixteen (16); thence westerly along the section line between sections nine (9) and sixteen (16) to the southeast corner of section eight (8); thence northerly along the section line between sections eight (8) and nine (9) and four (4) and five (5) to the northwest corner of section four (4), township one (1) south, range eight (8) east; thence easterly along the base line to the southeast corner of section thirty-three (33), township one (1) north, range eight (8) east; thence along the unsurveyed section lines northerly to the point for the northeast corner of section thirty-three (33), westerly to the point for the northeast corner of section thirty-two (32), northerly to the point for the northeast corner of section eight (8), westerly to the point for the southwest corner of section six (6); thence northerly along the unsurveyed range line between ranges seven (7) and eight (8) east to the point for the northwest corner of township one (1) north, range eight (8) east; thence westerly along the unsurveyed township line between townships one (1) and two (2) north to the northwest corner of township one (1) north, range seven (7) east; thence northerly along the surveyed and unsurveyed range line between ranges six (6) and seven (7) east to the meander corner at its intersection with the mean high-water mark on the south bank of the Columbia River, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 28th day of September, A. D. 1893, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Oregon within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Oregon and within the boundaries particularly described as follows, to wit:

Beginning at the northeast corner of section twenty-seven (27), township thirty-nine (39) south, range one (1) east, Willamette meridian; thence westerly along the surveyed and unsurveyed section line to the northwest corner of section twenty-five (25), township thirty-nine (39) south, range one (1) west; thence southerly along the section line to the southwest corner of section thirty-six (36), said township and range; thence westerly along the ninth (9th) standard parallel south to the northwest corner of section one (1), township forty (40) south, range one (1) west; thence southerly along the section line to the southwest corner of section thirteen (13), said township and range; thence easterly along the surveyed and unsurveyed section line to the point for the southeast corner of section fourteen (14), township forty (40) south, range one (1) east; thence northerly along the surveyed and unsurveyed section line to the northeast corner of section thirty-five (35), township thirty-nine (39) south, range one (1) east; thence westerly to the northwest corner of said section thirty-five (35); thence northerly to the northeast corner of section twenty-seven (27), said township and range, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing

of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 28th day of September, A. D. 1893, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

ALVEY A. ADEE, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

While the American people should every day remember with praise and thanksgiving the divine goodness and mercy which have followed them since their beginning as a nation, it is fitting that one day in each year should be especially devoted to the contemplation of the blessings we have received from the hand of God and to the grateful acknowledgment of His loving kindness.

Therefore, I, Grover Cleveland, President of the United States, do hereby designate and set apart Thursday, the 30th day of the present month of November, as a day of thanksgiving and praise to be kept and observed by all the people of our land. On that day let us forego our ordinary work and employments and assemble in our usual places of worship, where we may recall all that God has done for us and where from grateful hearts our united tribute of praise and song may reach the Throne of Grace. Let the reunion of kindred and the social meeting of friends lend cheer and enjoyment to the day, and let generous gifts of charity for the relief of the poor and needy prove the sincerity of our thanksgiving.

Witness my hand and the seal of the United States, which I have caused to be hereto affixed.

[SEAL.] Done at the city of Washington on the 3d day of November, A. D. 1893, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

EXECUTIVE ORDER.

AMENDMENTS OF CIVIL-SERVICE RULES.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C.

Clause 2 of Departmental Rule VIII is hereby amended by inserting after the letter "*d*" in parentheses in line 2 the following: "until after absolute appointment and," and by striking out all after the word "transferred" in line 4 to and including the word "made" in line 7; so that as amended the clause will read:

2. No person may be transferred as herein authorized, except as provided in section 1, clause (*d*), until after absolute appointment and until the Commission shall have certified to the officer making the transfer requisition that the person whom it is proposed to transfer has passed an examination to test fitness for the place to which he is to be transferred: *Provided*, That no person who has been appointed from the copyist register shall be transferred to a place the salary of which is more than $900 per annum until one year after appointment.

EXECUTIVE MANSION,
Washington, August 19, 1893.

The above amendments to clause 2 of Departmental Rule VIII and said rule as so amended are hereby approved.

GROVER CLEVELAND.

FIRST ANNUAL MESSAGE.

EXECUTIVE MANSION,
Washington, December 4, 1893.

To the Congress of the United States:

The constitutional duty which requires the President from time to time to give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient is fittingly entered upon by commending to the Congress a careful examination of the detailed statements and well-supported recommendations contained in the reports of the heads of Departments, who are chiefly charged with the executive work of the Government. In an effort to abridge this communication as much as is consistent with its purpose I shall supplement a brief reference to the contents of these departmental reports by the mention of such executive business and incidents as are not embraced therein and by such recommendations as appear to be at this particular time appropriate.

While our foreign relations have not at all times during the past year been entirely free from perplexity, no embarrassing situation remains that will not yield to the spirit of fairness and love of justice which,

joined with consistent firmness, characterize a truly American foreign policy.

My predecessor having accepted the office of arbitrator of the long-standing Missions boundary dispute, tendered to the President by the Argentine Republic and Brazil, it has been my agreeable duty to receive the special envoys commissioned by those States to lay before me evidence and arguments in behalf of their respective Governments.

The outbreak of domestic hostilities in the Republic of Brazil found the United States alert to watch the interests of our citizens in that country, with which we carry on important commerce. Several vessels of our new Navy are now and for some time have been stationed at Rio de Janeiro. The struggle being between the established Government, which controls the machinery of administration, and with which we maintain friendly relations, and certain officers of the navy employing the vessels of their command in an attack upon the national capital and chief seaport, and lacking as it does the elements of divided administration, I have failed to see that the insurgents can reasonably claim recognition as belligerents.

Thus far the position of our Government has been that of an attentive but impartial observer of the unfortunate conflict. Emphasizing our fixed policy of impartial neutrality in such a condition of affairs as now exists, I deemed it necessary to disavow in a manner not to be misunderstood the unauthorized action of our late naval commander in those waters in saluting the revolted Brazilian admiral, being indisposed to countenance an act calculated to give gratuitous sanction to the local insurrection.

The convention between our Government and Chile having for its object the settlement and adjustment of the demand of the two countries against each other has been made effective by he organization of the claims commission provided for. The two Governments failing to agree upon the third member of the commission, the good offices of the President of the Swiss Republic were invoked, as provided in the treaty, and the selection of the Swiss representative in this country to complete the organization was gratifying alike to the United States and Chile.

The vexatious question of so-called legation asylum for offenders against the state and its laws was presented anew in Chile by the unauthorized action of the late United States minister in receiving into his official residence two persons who had just failed in an attempt at revolution and against whom criminal charges were pending growing out of a former abortive disturbance. The doctrine of asylum as applied to this case is not sanctioned by the best precedents, and when allowed tends to encourage sedition and strife. Under no circumstances can the representatives of this Government be permitted, under the ill-defined fiction of extraterritoriality, to interrupt the administration of criminal justice in the countries to which they are accredited. A temperate

demand having been made by the Chilean Government for the correction of this conduct in the instance mentioned, the minister was instructed no longer to harbor the offenders.

The legislation of last year known as the Geary law, requiring the registration of all Chinese laborers entitled to residence in the United States and the deportation of all not complying with the provisions of the act within the time prescribed, met with much opposition from Chinamen in this country. Acting upon the advice of eminent counsel that the law was unconstitutional, the great mass of Chinese laborers, pending judicial inquiry as to its validity, in good faith declined to apply for the certificates required by its provisions. A test case upon proceeding by *habeas corpus* was brought before the Supreme Court, and on May 15, 1893, a decision was made by that tribunal sustaining the law.

It is believed that under the recent amendment of the act extending the time for registration the Chinese laborers thereto entitled who desire to reside in this country will now avail themselves of the renewed privilege thus afforded of establishing by lawful procedure their right to remain, and that thereby the necessity of enforced deportation may to a great degree be avoided.

It has devolved upon the United States minister at Peking, as dean of the diplomatic body, and in the absence of a representative of Sweden and Norway, to press upon the Chinese Government reparation for the recent murder of Swedish missionaries at Sung-pu. This question is of vital interest to all countries whose citizens engage in missionary work in the interior.

By Article XII of the general act of Brussels, signed July 2, 1890, for the suppression of the slave trade and the restriction of certain injurious commerce in the Independent State of the Kongo and in the adjacent zone of central Africa, the United States and the other signatory powers agreed to adopt appropriate means for the punishment of persons selling arms and ammunition to the natives and for the confiscation of the inhibited articles. It being the plain duty of this Government to aid in suppressing the nefarious traffic, impairing as it does the praiseworthy and civilizing efforts now in progress in that region, I recommend that an act be passed prohibiting the sale of arms and intoxicants to natives in the regulated zone by our citizens.

Costa Rica has lately testified its friendliness by surrendering to the United States, in the absence of a convention of extradition, but upon duly submitted evidence of criminality, a noted fugitive from justice. It is trusted that the negotiation of a treaty with that country to meet recurring cases of this kind will soon be accomplished. In my opinion treaties for reciprocal extradition should be concluded with all those countries with which the United States has not already conventional arrangements of that character.

I have deemed it fitting to express to the Governments of Costa Rica

and Colombia the kindly desire of the United States to see their pending boundary dispute finally closed by arbitration in conformity with the spirit of the treaty concluded between them some years ago.

Our relations with the French Republic continue to be intimate and cordial. I sincerely hope that the extradition treaty with that country, as amended by the Senate, will soon be operative.

While occasional questions affecting our naturalized citizens returning to the land of their birth have arisen in our intercourse with Germany, our relations with that country continue satisfactory.

The questions affecting our relations with Great Britain have been treated in a spirit of friendliness.

Negotiations are in progress between the two Governments with a view to such concurrent action as will make the award and regulations agreed upon by the Bering Sea Tribunal of Arbitration practically effective, and it is not doubted that Great Britain will cooperate freely with this country for the accomplishment of that purpose.

The dispute growing out of the discriminating tolls imposed in the Welland Canal upon cargoes of cereals bound to and from the lake ports of the United States was adjusted by the substitution of a more equitable schedule of charges, and my predecessor thereupon suspended his proclamation imposing discriminating tolls upon British transit through our canals.*

A request for additions to the list of extraditable offenses covered by the existing treaty between the two countries is under consideration.

During the past year an American citizen employed in a subordinate commercial position in Hayti, after suffering a protracted imprisonment on an unfounded charge of smuggling, was finally liberated on judicial examination. Upon urgent representation to the Haytian Government a suitable indemnity was paid to the sufferer.

By a law of Hayti a sailing vessel, having discharged her cargo, is refused clearance until the duties on such cargo have been paid. The hardship of this measure upon American shipowners, who conduct the bulk of the carrying trade of that country, has been insisted on with a view of securing the removal of this cause of complaint.

Upon receiving authentic information of the firing upon an American mail steamer touching at the port of Amapala because her captain refused to deliver up a passenger in transit from Nicaragua to Guatemala upon demand of the military authorities of Honduras, our minister to that country, under instructions, protested against the wanton act and demanded satisfaction. The Government of Honduras, actuated by a sense of justice and in a spirit of the utmost friendship, promptly disavowed the illegal conduct of its officers and expressed sincere regret for the occurrence.

It is confidently anticipated that a satisfactory adjustment will soon be reached of the questions arising out of the seizure and use of American

* See pp. 5812–5813.

vessels by insurgents in Honduras and the subsequent denial by the successful Government of commercial privileges to those vessels on that account.

A notable part of the southeasterly coast of Liberia between the Cavally and San Pedro rivers, which for nearly half a century has been generally recognized as belonging to that Republic by cession and purchase, has been claimed to be under the protectorate of France in virtue of agreements entered into by the native tribes, over whom Liberia's control has not been well maintained.

More recently negotiations between the Liberian representative and the French Government resulted in the signature at Paris of a treaty whereby as an adjustment certain Liberian territory is ceded to France. This convention at last advices had not been ratified by the Liberian Legislature and Executive.

Feeling a sympathetic interest in the fortunes of the little Commonwealth, the establishment and development of which were largely aided by the benevolence of our countrymen, and which constitutes the only independently sovereign state on the west coast of Africa, this Government has suggested to the French Government its earnest concern lest territorial impairment in Liberia should take place without her unconstrained consent.

Our relations with Mexico continue to be of that close and friendly nature which should always characterize the intercourse of two neighboring republics.

The work of relocating the monuments marking the boundary between the two countries from Paso del Norte to the Pacific is now nearly completed.

The commission recently organized under the conventions of 1884 and 1889 it is expected will speedily settle disputes growing out of the shifting currents of the Rio Grande River east of El Paso.

Nicaragua has recently passed through two revolutions, the party at first successful having in turn been displaced by another. Our newly appointed minister by his timely good offices aided in a peaceful adjustment of the controversy involved in the first conflict. The large American interests established in that country in connection with the Nicaragua Canal were not molested.

The canal company has unfortunately become financially seriously embarrassed, but a generous treatment had been extended to it by the Government of Nicaragua. The United States are especially interested in the successful achievement of the vast undertaking this company has in charge. That it should be accomplished under distinctively American auspices, and its enjoyment assured not only to the vessels of this country as a channel of communication between our Atlantic and Pacific seaboards, but to the ships of the world in the interests of civilization, is a proposition which, in my judgment, does not admit of question.

Guatemala has also been visited by the political vicissitudes which

have afflicted her Central American neighbors, but the dissolution of its Legislature and the proclamation of a dictatorship have been unattended with civil war.

An extradition treaty with Norway has recently been exchanged and proclaimed.

The extradition treaty with Russia signed in March, 1887, and amended and confirmed by the Senate in February last, was duly proclaimed last June.

Led by a desire to compose differences and contribute to the restoration of order in Samoa, which for some years previous had been the scene of conflicting foreign pretensions and native strife, the United States, departing from its policy consecrated by a century of observance, entered four years ago into the treaty of Berlin, thereby becoming jointly bound with England and Germany to establish and maintain Malietoa Laupepa as King of Samoa. The treaty provided for a foreign court of justice; a municipal council for the district of Apia, with a foreign president thereof, authorized to advise the King; a tribunal for the settlement of native and foreign land titles, and a revenue system for the Kingdom. It entailed upon the three powers that part of the cost of the new Government not met by the revenue of the islands.

Early in the life of this triple protectorate the native dissensions it was designed to quell revived. Rivals defied the authority of the new King, refusing to pay taxes and demanding the election of a ruler by native suffrage. Mataafa, an aspirant to the throne, and a large number of his native adherents were in open rebellion on one of the islands. Quite lately, at the request of the other powers and in fulfillment of its treaty obligation, this Government agreed to unite in a joint military movement of such dimensions as would probably secure the surrender of the insurgents without bloodshed.

The war ship *Philadelphia* was accordingly put under orders for Samoa, but before she arrived the threatened conflict was precipitated by King Malietoa's attack upon the insurgent camp. Mataafa was defeated and a number of his men killed. The British and German naval vessels present subsequently secured the surrender of Mataafa and his adherents. The defeated chief and ten of his principal supporters were deported to a German island of the Marshall group, where they are held as prisoners under the joint responsibility and cost of the three powers.

This incident and the events leading up to it signally illustrate the impolicy of entangling alliances with foreign powers.

More than fifteen years ago this Government preferred a claim against Spain in behalf of one of our citizens for property seized and confiscated in Cuba. In 1886 the claim was adjusted, Spain agreeing to pay unconditionally, as a fair indemnity, $1,500,000. A respectful but earnest note was recently addressed to the Spanish Government insisting upon prompt fulfillment of its long-neglected obligation.

Other claims preferred by the United States against Spain in behalf of American citizens for property confiscated in Cuba have been pending for many years.

At the time Spain's title to the Caroline Islands was confirmed by arbitration that Government agreed that the rights which had been acquired there by American missionaries should be recognized and respected. It is sincerely hoped that this pledge will be observed by allowing our missionaries, who were removed from Ponape to a place of safety by a United States war ship during the late troubles between the Spanish garrison and the natives, to return to their field of usefulness.

The reproduced caravel *Santa Maria*, built by Spain and sent to the Columbian Exposition, has been presented to the United States in token of amity and in commemoration of the event it was designed to celebrate. I recommend that in accepting this gift Congress make grateful recognition of the sincere friendship which prompted it.

Important matters have demanded attention in our relations with the Ottoman Porte.

The firing and partial destruction by an unrestrained mob of one of the school buildings of Anatolia College, established by citizens of the United States at Marsovan, and the apparent indifference of the Turkish Government to the outrage, notwithstanding the complicity of some of its officials, called for earnest remonstrance, which was followed by promise of reparation and punishment of the offenders.

Indemnity for the injury to the buildings has already been paid, permission to rebuild given, registration of the school property in the name of the American owners secured, and efficient protection guaranteed.

Information received of maltreatment suffered by an inoffensive American woman engaged in missionary work in Turkish Koordistan was followed by such representations to the Porte as resulted in the issuance of orders for the punishment of her assailants, the removal of a delinquent official, and the adoption of measures for the protection of our citizens engaged in mission and other lawful work in that quarter.

Turkey complains that her Armenian subjects obtain citizenship in this country not to identify themselves in good faith with our people, but with the intention of returning to the land of their birth and there engaging in sedition. This complaint is not wholly without foundation. A journal published in this country in the Armenian language openly counsels its readers to arm, organize, and participate in movements for the subversion of Turkish authority in the Asiatic provinces. The Ottoman Government has announced its intention to expel from its dominions Armenians who have obtained naturalization in the United States since 1868.

The right to exclude any or all classes of aliens is an attribute of sovereignty. It is a right asserted and, to a limited extent, enforced by the United States, with the sanction of our highest court. There being no

naturalization treaty between the United States and Turkey, our minister at Constantinople has been instructed that, while recognizing the right of that Government to enforce its declared policy against naturalized Armenians, he is expected to protect them from unnecessary harshness of treatment.

In view of the impaired financial resources of Venezuela consequent upon the recent revolution there, a modified arrangement for the satisfaction of the awards of the late revisory claims commission, in progressive installments, has been assented to, and payments are being regularly made thereunder.

The boundary dispute between Venezuela and British Guiana is yet unadjusted. A restoration of diplomatic intercourse between that Republic and Great Britain and reference of the question to impartial arbitration would be a most gratifying consummation.

The ratification by Venezuela of the convention for the arbitration of the long-deferred claim of the Venezuelan Transportation Company is awaited.

It is hardly necessary for me to state that the questions arising from our relations with Hawaii have caused serious embarrassment. Just prior to the installation of the present Administration the existing Government of Hawaii had been suddenly overthrown and a treaty of annexation had been negotiated between the Provisional Government of the islands and the United States and submitted to the Senate for ratification. This treaty I withdrew for examination and dispatched Hon. James H. Blount, of Georgia, to Honolulu as a special commissioner to make an impartial investigation of the circumstances attending the change of government and of all the conditions bearing upon the subject of the treaty. After a thorough and exhaustive examination Mr. Blount submitted to me his report, showing beyond all question that the constitutional Government of Hawaii had been subverted with the active aid of our representative to that Government and through the intimidation caused by the presence of an armed naval force of the United States, which was landed for that purpose at the instance of our minister. Upon the facts developed it seemed to me the only honorable course for our Government to pursue was to undo the wrong that had been done by those representing us and to restore as far as practicable the status existing at the time of our forcible intervention. With a view of accomplishing this result within the constitutional limits of executive power, and recognizing all our obligations and responsibilities growing out of any changed conditions brought about by our unjustifiable interference, our present minister at Honolulu has received appropriate instructions to that end. Thus far no information of the accomplishment of any definite results has been received from him.

Additional advices are soon expected. When received they will be promptly sent to the Congress, together with all other information at

hand, accompanied by a special Executive message fully detailing all the facts necessary to a complete understanding of the case and presenting a history of all the material events leading up to the present situation.

By a concurrent resolution passed by the Senate February 14, 1890, and by the House of Representatives on the 3d of April following the President was requested to "invite from time to time, as fit occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which can not be adjusted by diplomatic agency may be referred to arbitration and be peaceably adjusted by such means." April 18, 1890, the International American Conference of Washington by resolution expressed the wish that all controversies between the republics of America and the nations of Europe might be settled by arbitration, and recommended that the government of each nation represented in that conference should communicate this wish to all friendly powers. A favorable response has been received from Great Britain in the shape of a resolution adopted by Parliament July 16 last, cordially sympathizing with the purpose in view and expressing the hope that Her Majesty's Government will lend ready cooperation to the Government of the United States upon the basis of the concurrent resolution above quoted.

It affords me signal pleasure to lay this parliamentary resolution before the Congress and to express my sincere gratification that the sentiment of two great and kindred nations is thus authoritatively manifested in favor of the rational and peaceable settlement of international quarrels by honorable resort to arbitration.

Since the passage of the act of March 3, 1893, authorizing the President to raise the grade of our envoys to correspond with the rank in which foreign countries accredit their agents here, Great Britain, France, Italy, and Germany have conferred upon their representatives at this capital the title of ambassador, and I have responded by accrediting the agents of the United States in those countries with the same title. A like elevation of mission is announced by Russia, and when made will be similarly met. This step fittingly comports with the position the United States hold in the family of nations.

During my former Administration I took occasion to recommend a recast of the laws relating to the consular service, in order that it might become a more efficient agency in the promotion of the interests it was intended to subserve. The duties and powers of consuls have been expanded with the growing requirements of our foreign trade. Discharging important duties affecting our commerce and American citizens abroad, and in certain countries exercising judicial functions, these officers should be men of character, intelligence, and ability.

Upon proof that the legislation of Denmark secures copyright to Ameri-

can citizens on equal footing with its own, the privileges of our copyright laws have been extended by proclamation to subjects of that country.*

The Secretary of the Treasury reports that the receipts of the Government from all sources during the fiscal year ended June 30, 1893, amounted to $461,716,561.94 and its expenditures to $459,374,674.29. There was collected from customs $205,355,016.73 and from internal revenue $161,027,623.93. Our dutiable imports amounted to $421,856,711, an increase of $52,453,907 over the preceding year, and importations free of duty amounted to $444,544,211, a decrease from the preceding year of $13,455,447. Internal-revenue receipts exceeded those of the preceding year by $7,147,445.32. The total tax collected on distilled spirits was $94,720,260.55, on manufactured tobacco $31,889,711.74, and on fermented liquors $32,548,983.07. We exported merchandise during the year amounting to $847,665,194, a decrease of $182,612,954 from the preceding year. The amount of gold exported was larger than any previous year in the history of the Government, amounting to $108,680,844, and exceeding the amount exported during the preceding year by $58,485,517.

The sum paid from the Treasury for sugar bounty was $9,375,130.88, an increase over the preceding year of $2,033,053.09.

It is estimated upon the basis of present revenue laws that the receipts of the Government for the year ending June 30, 1894, will be $430,121,365.38 and its expenditures $458,121,365.28, resulting in a deficiency of $28,000,000.

On the 1st day of November, 1893, the amount of money of all kinds in circulation, or not included in Treasury holdings, was $1,718,544,682, an increase for the year of $112,404,947. Estimating our population at 67,426,000 at the time mentioned, the per capita circulation was $25.49. On the same date there was in the Treasury gold bullion amounting to $96,657,273 and silver bullion which was purchased at a cost of $126,261,553.

The purchases of silver under the law of July 14, 1890, during the last fiscal year aggregated 54,008,162.59 fine ounces, which cost $45,531,374.53. The total amount of silver purchased from the time that law became operative until the repeal of its purchasing clause, on the 1st day of November, 1893, was 168,674,590.46 fine ounces, which cost $155,930,940.84. Between the 1st day of March, 1873, and the 1st day of November, 1893, the Government purchased under all laws 503,003,717 fine ounces of silver, at a cost of $516,622,948. The silver dollars that have been coined under the act of July 14, 1890, number 36,087,285. The seigniorage arising from such coinage was $6,977,098.39, leaving on hand in the mints 140,699,760 fine ounces of silver, which cost $126,758,218.

Our total coinage of all metals during the last fiscal year consisted of

* See pp. 5827–5828.

97,280,875 pieces, valued at $43,685,178.80, of which there was $30,038,140 in gold coin, $5,343,715 in silver dollars, $7,217,220.90 in subsidiary silver coin, and $1,086,102.90 in minor coins.

During the calendar year 1892 the production of precious metals in the United States was estimated to be 1,596,375 fine ounces of gold of the commercial and coinage value of $33,000,000 and 58,000,000 fine ounces of silver of the bullion or market value of $50,750,000 and of the coinage value of $74,989,900.

It is estimated that on the 1st day of July, 1893, the metallic stock of money in the United States, consisting of coin and bullion, amounted to $1,213,559,169, of which $597,697,685 was gold and $615,861,484 was silver.

One hundred and nineteen national banks were organized during the year ending October 31, 1893, with a capital of $11,230,000. Forty-six went into voluntary liquidation and 158 suspended. Sixty-five of the suspended banks were insolvent, 86 resumed business, and 7 remain in the hands of the bank examiners, with prospects of speedy resumption. Of the new banks organized, 44 were located in the Eastern States, 41 west of the Mississippi River, and 34 in the Central and Southern States. The total number of national banks in existence on October 31, 1893, was 3,796, having an aggregate capital of $695,558,120. The net increase in the circulation of these banks during the year was $36,886,972.

The recent repeal of the provision of law requiring the purchase of silver bullion by the Government as a feature of our monetary scheme has made an entire change in the complexion of our currency affairs. I do not doubt that the ultimate result of this action will be most salutary and far-reaching. In the nature of things, however, it is impossible to know at this time precisely what conditions will be brought about by the change, or what, if any, supplementary legislation may, in the light of such conditions appear to be essential or expedient. Of course, after the recent financial perturbation, time is necessary for the reestablishment of business confidence. When, however, through this restored confidence, the money which has been frightened into hoarding places is returned to trade and enterprise, a survey of the situation will probably disclose a safe path leading to a permanently sound currency, abundantly sufficient to meet every requirement of our increasing population and business.

In the pursuit of this object we should resolutely turn away from alluring and temporary expedients, determined to be content with nothing less than a lasting and comprehensive financial plan. In these circumstances I am convinced that a reasonable delay in dealing with this subject, instead of being injurious, will increase the probability of wise action.

The monetary conference which assembled at Brussels upon our invitation was adjourned to the 30th day of November of the present year. The considerations just stated and the fact that a definite proposition

from us seemed to be expected upon the reassembling of the conference led me to express a willingness to have the meeting still further postponed.

It seems to me that it would be wise to give general authority to the President to invite other nations to such a conference at any time when there should be a fair prospect of accomplishing an international agreement on the subject of coinage.

I desire also to earnestly suggest the wisdom of amending the existing statutes in regard to the issuance of Government bonds. The authority now vested in the Secretary of the Treasury to issue bonds is not as clear as it should be, and the bonds authorized are disadvantageous to the Government both as to the time of their maturity and rate of interest.

The Superintendent of Immigration, through the Secretary of the Treasury, reports that during the last fiscal year there arrived at our ports 440,793 immigrants. Of these, 1,063 were not permitted to land under the limitations of the law and 577 were returned to the countries from whence they came by reason of their having become public charges. The total arrivals were 141,034 less than for the previous year.

The Secretary in his report gives an account of the operation of the Marine-Hospital Service and of the good work done under its supervision in preventing the entrance and spread of contagious diseases.

The admonitions of the last two years touching our public health and the demonstrated danger of the introduction of contagious diseases from foreign ports have invested the subject of national quarantine with increased interest. A more general and harmonious system than now exists, acting promptly and directly everywhere and constantly operating by preventive means to shield our country from the invasion of disease, and at the same time having due regard to the rights and duties of local agencies, would, I believe, add greatly to the safety of our people.

The Secretary of War reports that the strength of the Army on the 30th day of September last was 25,778 enlisted men and 2,144 officers.

The total expenditures of the Department for the year ending June 30, 1893, amounted to $51,966,074.89. Of this sum $1,992,581.95 was for salaries and contingent expenses, $23,377,828.35 for the support of the military establishment, $6,077,033.18 for miscellaneous objects, and $20,518,631.41 for public works. This latter sum includes $15,296,876.46 for river and harbor improvements and $3,266,141.20 for fortifications and other works of defense.

The total enrollment of the militia of the several States was on the 31st of October of the current year 112,597 officers and enlisted men. The officers of the Army detailed for the inspection and instruction of this reserve of our military force report that increased interest and marked progress are apparent in the discipline and efficiency of the organization.

Neither Indian outbreaks nor domestic violence have called the Army into service during the year, and the only active military duty required

of it has been in the Department of Texas, where violations of the neutrality laws of the United States and Mexico were promptly and efficiently dealt with by the troops, eliciting the warm approval of the civil and military authorities of both countries.

The operation of wise laws and the influences of civilization constantly tending to relieve the country from the dangers of Indian hostilities, together with the increasing ability of the States, through the efficiency of the National Guard organizations, to protect their citizens from domestic violence, lead to the suggestion that the time is fast approaching when there should be a reorganization of our Army on the lines of the present necessities of the country. This change contemplates neither increase in number nor added expense, but a redistribution of the force and an encouragement of measures tending to greater efficiency among the men and improvement of the service.

The adoption of battalion formations for infantry regiments, the strengthening of the artillery force, the abandonment of smaller and unnecessary posts, and the massing of the troops at important and accessible stations all promise to promote the usefulness of the Army. In the judgment of army officers, with but few exceptions, the operation of the law forbidding the reenlistment of men after ten years' service has not proved its wisdom, and while the arguments that led to its adoption were not without merit the experience of the year constrains me to join in the recommendation for its repeal.

It is gratifying to note that we have begun to attain completed results in the comprehensive scheme of seacoast defense and fortification entered upon eight years ago. A large sum has been already expended, but the cost of maintenance will be inconsiderable as compared with the expense of construction and ordnance. At the end of the current calendar year the War Department will have nine 12-inch guns, twenty 10-inch, and thirty-four 8-inch guns ready to be mounted on gun lifts and carriages, and seventy-five 12-inch mortars. In addition to the product of the Army Gun Factory, now completed at Watervliet, the Government has contracted with private parties for the purchase of one hundred guns of these calibers, the first of which should be delivered to the Department for test before July 1, 1894.

The manufacture of heavy ordnance keeps pace with current needs, but to render these guns available for the purposes they are designed to meet emplacements must be prepared for them. Progress has been made in this direction, and it is desirable that Congress by adequate appropriations should provide for the uninterrupted prosecution of this necessary work.

After much preliminary work and exhaustive examination in accordance with the requirements of the law, the board appointed to select a magazine rifle of modern type with which to replace the obsolete Springfield rifle of the infantry service completed its labors during the last

year, and the work of manufacture is now in progress at the national armory at Springfield. It is confidently expected that by the end of the current year our infantry will be supplied with a weapon equal to that of the most progressive armies of the world.

The work on the projected Chickamauga and Chattanooga National Military Park has been prosecuted with zeal and judgment, and its opening will be celebrated during the coming year. Over 9 square miles of the Chickamauga battlefield have been acquired, 25 miles of roadway have been constructed, and permanent tablets have been placed at many historical points, while the invitation to the States to mark the positions of their troops participating in the battle has been very generally accepted.

The work of locating and preserving the lines of battle at the Gettysburg battlefield is making satisfactory progress on the plans directed by the last Congress.

The reports of the Military Academy at West Point and the several schools for special instruction of officers show marked advance in the education of the Army and a commendable ambition among its officers to excel in the military profession and to fit themselves for the highest service to the country.

Under the supervision of Adjutant-General Robert Williams, lately retired, the Bureau of Military Information has become well established and is performing a service that will put in possession of the Government in time of war most valuable information, and at all times serve a purpose of great utility in keeping the Army advised of the world's progress in all matters pertaining to the art of war.

The report of the Attorney-General contains the usual summary of the affairs and proceedings of the Department of Justice for the past year, together with certain recommendations as to needed legislation on various subjects. I can not too heartily indorse the proposition that the fee system as applicable to the compensation of United States attorneys, marshals, clerks of Federal courts, and United States commissioners should be abolished with as little delay as possible. It is clearly in the interest of the community that the business of the courts, both civil and criminal, shall be as small and as inexpensively transacted as the ends of justice will allow.

The system is therefore thoroughly vicious which makes the compensation of court officials depend upon the volume of such business, and thus creates a conflict between a proper execution of the law and private gain, which can not fail to be dangerous to the rights and freedom of the citizen and an irresistible temptation to the unjustifiable expenditure of public funds. If in addition to this reform another was inaugurated which would give to United States commissioners the final disposition of petty offenses within the grade of misdemeanors, especially those coming under the internal-revenue laws, a great advance would be made toward a more decent administration of the criminal law.

In my first message to Congress, dated December 8, 1885,* I strongly recommended these changes and referred somewhat at length to the evils of the present system. Since that time the criminal business of the Federal courts and the expense attending it have enormously increased. The number of criminal prosecutions pending in the circuit and district courts of the United States on the 1st day of July, 1885, was 3,808, of which 1,884 were for violations of the internal-revenue laws, while the number of such prosecutions pending on the 1st day of July, 1893, was 9,500, of which 4,200 were for violations of the internal-revenue laws. The expense of the United States courts, exclusive of judges' salaries, for the year ending July 1, 1885, was $2,874,733.11 and for the year ending July 1, 1893, $4,528,676.87.

It is therefore apparent that the reasons given in 1885 for a change in the manner of enforcing the Federal criminal law have gained cogency and strength by lapse of time.

I also heartily join the Attorney-General in recommending legislation fixing degrees of the crime of murder within Federal jurisdiction, as has been done in many of the States; authorizing writs of error on behalf of the Government in cases where final judgment is rendered against the sufficiency of an indictment or against the Government upon any other question arising before actual trial; limiting the right of review in cases of felony punishable only by fine and imprisonment to the circuit court of appeals, and making speedy provision for the construction of such prisons and reformatories as may be necessary for the confinement of United States convicts.

The report of the Postmaster-General contains a detailed statement of the operations of the Post-Office Department during the last fiscal year and much interesting information touching this important branch of the public service.

The business of the mails indicates with absolute certainty the condition of the business of the country, and depression in financial affairs inevitably and quickly reduces the postal revenues. Therefore a larger discrepancy than usual between the post-office receipts and expenditures is the expected and unavoidable result of the distressing stringency which has prevailed throughout the country during much of the time covered by the Postmaster-General's report. At a date when better times were anticipated it was estimated by his predecessor that the deficiency on the 30th day of June, 1893, would be but a little over a million and a half dollars. It amounted, however, to more than five millions. At the same time and under the influence of like anticipations estimates were made for the current fiscal year, ending June 30, 1894, which exhibited a surplus of revenue over expenditures of $872,245.71; but now, in view of the actual receipts and expenditures during that part of the current fiscal year already expired, the present Postmaster-General estimates

* See pp. 4938–4940.

that at its close instead of a surplus there will be a deficiency of nearly $8,000,000.

The post-office receipts for the last fiscal year amounted to $75,896,933.16 and its expenditures to $81,074,104.90. This post-office deficiency would disappear or be immensely decreased if less matter were carried free through the mails, an item of which is upward of 300 tons of seeds and grain from the Agricultural Department.

The total number of post-offices in the United States on the 30th day of June, 1893, was 68,403, an increase of 1,284 over the preceding year. Of these, 3,360 were Presidential, an increase in that class of 204 over the preceding year.

Forty-two free-delivery offices were added during the year to those already existing, making a total of 610 cities and towns provided with free delivery on June 30, 1893. Ninety-three other cities and towns are now entitled to this service under the law, but it has not been accorded them on account of insufficient funds to meet the expenses of its establishment.

I am decidedly of the opinion that the provisions of the present law permit as general an introduction of this feature of mail service as is necessary or justifiable, and that it ought not to be extended to smaller communities than are now designated.

The expenses of free delivery for the fiscal year ending June 30, 1894, will be more than $11,000,000, and under legislation now existing there must be a constant increase in this item of expenditure.

There were 6,401 additions to the domestic money-order offices during the last fiscal year, being the largest increase in any year since the inauguration of the system. The total number of these offices at the close of the year was 18,434. There were 13,309,735 money orders issued from these offices, being an increase over the preceding year of 1,240,293, and the value of these orders amounted to $127,576,433.65, an increase of $7,509,632.58. There were also issued during the year postal notes amounting to $12,903,076.73.

During the year 195 international money-order offices were added to those already provided, making a total of 2,407 in operation on June 30, 1893. The number of international money orders issued during the year was 1,055,999, an increase over the preceding year of 72,525, and their value was $16,341,837.86, an increase of $1,221,506.31. The number of orders paid was 300,917, an increase over the preceding year of 13,503, and their value was $5,283,375.70, an increase of $94,094.83.

From the foregoing statements it appears that the total issue of money orders and postal notes for the year amounted to $156,821,348.24.

The number of letters and packages mailed during the year for special delivery was 3,375,693, an increase over the preceding year of nearly 22 per cent. The special-delivery stamps used upon these letters and packages amounted to $337,569.30, and the messengers' fees paid for their

delivery amounted to $256,592.71, leaving a profit to the Government of $80,976.59.

The Railway Mail Service not only adds to the promptness of mail delivery at all offices, but it is the especial instrumentality which puts the smaller and way places in the service on an equality in that regard with the larger and terminal offices. This branch of the postal service has therefore received much attention from the Postmaster-General, and though it is gratifying to know that it is in a condition of high efficiency and great usefulness, I am led to agree with the Postmaster-General that there is room for its further improvement.

There are now connected to the Post-Office establishment 28,324 employees who are in the classified service. The head of this great Department gives conclusive evidence of the value of civil-service reform when, after an experience that renders his judgment on the subject absolutely reliable, he expresses the opinion that without the benefit of this system it would be impossible to conduct the vast business intrusted to him.

I desire to commend as especially worthy of prompt attention the suggestions of the Postmaster-General relating to a more sensible and businesslike organization and a better distribution of responsibility in his Department.

The report of the Secretary of the Navy contains a history of the operations of his Department during the past year and exhibits a most gratifying condition of the personnel of our Navy. He presents a satisfactory account of the progress which has been made in the construction of vessels and makes a number of recommendations to which attention is especially invited.

During the past six months the demands for cruising vessels have been many and urgent. There have been revolutions calling for vessels to protect American interests in Nicaragua, Guatemala, Costa Rica, Honduras, Argentina, and Brazil, while the condition of affairs in Honolulu has required the constant presence of one or more ships. With all these calls upon our Navy it became necessary, in order to make up a sufficient fleet to patrol the Bering Sea under the *modus vivendi* agreed upon with Great Britain, to detail to that service one vessel from the Fish Commission and three from the Revenue Marine.

Progress in the construction of new vessels has not been as rapid as was anticipated. There have been delays in the completion of unarmored vessels, but for the most part they have been such as are constantly occurring even in countries having the largest experience in naval shipbuilding. The most serious delays, however, have been in the work upon armored ships. The trouble has been the failure of contractors to deliver armor as agreed. The difficulties seem now, however, to have been all overcome, and armor is being delivered with satisfactory promptness. As a result of the experience acquired by shipbuilders and designers and material men, it is believed that the dates when vessels will

be completed can now be estimated with reasonable accuracy. Great guns, rapid-fire guns, torpedoes, and powder are being promptly supplied.

The following vessels of the new Navy have been completed and are now ready for service: The double-turreted coast-defense monitor *Miantonomoh*, the double-turreted coast-defense monitor *Monterey*, the armored cruiser *New York*, the protected cruisers *Baltimore*, *Chicago*, *Philadelphia*, *Newark*, *San Francisco*, *Charleston*, *Atlanta*, and *Boston*, the cruiser *Detroit*, the gunboats *Yorktown*, *Concord*, *Bennington*, *Machias*, *Castine*, and *Petrel*, the dispatch vessel *Dolphin*, the practice vessel *Bancroft*, and the dynamite gunboat *Vesuvius*. Of these the *Bancroft*, *Machias*, *Detroit*, and *Castine* have been placed in commission during the current calendar year.

The following vessels are in process of construction: The second-class battle ships *Maine* and *Texas*, the cruisers *Montgomery* and *Marblehead*, and the coast-defense monitors *Terror*, *Puritan*, *Amphitrite*, and *Monadnock*, all of which will be completed within one year; the harbor-defense ram *Katahdin* and the protected cruisers *Columbia*, *Minneapolis*, *Olympia*, *Cincinnati*, and *Raleigh*, all of which will be completed prior to July 1, 1895; the first-class battle ships *Iowa*, *Indiana*, *Massachusetts*, and *Oregon*, which will be completed February 1, 1896, and the armored cruiser *Brooklyn*, which will be completed by August 1 of that year. It is also expected that the three gunboats authorized by the last Congress will be completed in less than two years.

Since 1886 Congress has at each session authorized the building of one or more vessels, and the Secretary of the Navy presents an earnest plea for the continuance of this plan. He recommends the authorization of at least one battle ship and six torpedo boats.

While I am distinctly in favor of consistently pursuing the policy we have inaugurated of building up a thorough and efficient Navy, I can not refrain from the suggestion that the Congress should carefully take into account the number of unfinished vessels on our hands and the depleted condition of our Treasury in considering the propriety of an appropriation at this time to begin new work.

The method of employing mechanical labor at navy-yards through boards of labor and making efficiency the sole test by which laborers are employed and continued is producing the best results, and the Secretary is earnestly devoting himself to its development. Attention is invited to the statements of his report in regard to the workings of the system.

The Secretary of the Interior has the supervision of so many important subjects that his report is of especial value and interest.

On the 30th day of June, 1893, there were on the pension rolls 966,012 names, an increase of 89,944 over the number on the rolls June 30, 1892. Of these there were 17 widows and daughters of Revolutionary soldiers, 86 survivors of the War of 1812, 5,425 widows of soldiers of that war, 21,518 survivors and widows of the Mexican War, 3,882 survivors and widows of Indian wars, 284 army nurses, and 475,645 survivors and

widows and children of deceased soldiers and sailors of the War of the Rebellion. The latter number represents those pensioned on account of disabilities or death resulting from army and navy service. The number of persons remaining on the rolls June 30, 1893, who were pensioned under the act of June 27, 1890, which allows pensions on account of death and disability not chargeable to army service, was 459,155.

The number added to the rolls during the year was 123,634 and the number dropped was 33,690. The first payments on pensions allowed during the year amounted to $33,756,549.98. This includes arrears, or the accumulation between the time from which the allowance of pension dates and the time of actually granting the certificate.

Although the law of 1890 permits pensions for disabilities not related to military service, yet as a requisite to its benefits a disability must exist incapacitating applicants "from the performance of manual labor to such a degree as to render them unable to earn a support." The execution of this law in its early stages does not seem to have been in accord with its true intention, but toward the close of the last Administration an authoritative construction was given to the statute, and since that time this construction has been followed. This has had the effect of limiting the operation of the law to its intended purpose. The discovery having been made that many names had been put upon the pension roll by means of wholesale and gigantic frauds, the Commissioner suspended payments upon a number of pensions which seemed to be fraudulent or unauthorized pending a complete examination, giving notice to the pensioners, in order that they might have an opportunity to establish, if possible, the justice of their claims notwithstanding apparent invalidity.

This, I understand, is the practice which has for a long time prevailed in the Pension Bureau; but after entering upon these recent investigations the Commissioner modified this rule so as not to allow until after a complete examination interference with the payment of a pension apparently not altogether void, but which merely had been fixed at a rate higher than that authorized by law.

I am unable to understand why frauds in the pension rolls should not be exposed and corrected with thoroughness and vigor. Every name fraudulently put upon these rolls is a wicked imposition upon the kindly sentiment in which pensions have their origin; every fraudulent pensioner has become a bad citizen; every false oath in support of a pension has made perjury more common, and false and undeserving pensioners rob the people not only of their money, but of the patriotic sentiment which the survivors of a war fought for the preservation of the Union ought to inspire. Thousands of neighborhoods have their well-known fraudulent pensioners, and recent developments by the Bureau establish appalling conspiracies to accomplish pension frauds. By no means the least wrong done is to brave and deserving pensioners, who certainly ought not to be condemned to such association.

Those who attempt in the line of duty to rectify these wrongs should not be accused of enmity or indifference to the claims of honest veterans.

The sum expended on account of pensions for the year ending June 30, 1893, was $156,740,467.14.

The Commissioner estimates that $165,000,000 will be required to pay pensions during the year ending June 30, 1894.

The condition of the Indians and their ultimate fate are subjects which are related to a sacred duty of the Government and which strongly appeal to the sense of justice and the sympathy of our people.

Our Indians number about 248,000. Most of them are located on 161 reservations, containing 86,116,537 acres of land. About 110,000 of these Indians have to a large degree adopted civilized customs. Lands in severalty have been allotted to many of them. Such allotments have been made to 10,000 individuals during the last fiscal year, embracing about 1,000,000 acres. The number of Indian Government schools opened during the year was 195, an increase of 12 over the preceding year. Of this total 170 were on reservations, of which 73 were boarding schools and 97 were day schools. Twenty boarding schools and 5 day schools supported by the Government were not located on reservations. The total number of Indian children enrolled during the year as attendants of all schools was 21,138, an increase of 1,231 over the enrollment for the previous year.

I am sure that secular education and moral and religious teaching must be important factors in any effort to save the Indian and lead him to civilization. I believe, too, that the relinquishment of tribal relations and the holding of land in severalty may in favorable conditions aid this consummation. It seems to me, however, that allotments of land in severalty ought to be made with great care and circumspection. If hastily done, before the Indian knows its meaning, while yet he has little or no idea of tilling a farm and no conception of thrift, there is great danger that a reservation life in tribal relations may be exchanged for the pauperism of civilization instead of its independence and elevation.

The solution of the Indian problem depends very largely upon good administration. The personal fitness of agents and their adaptability to the peculiar duty of caring for their wards are of the utmost importance.

The law providing that, except in special cases, army officers shall be detailed as Indian agents it is hoped will prove a successful experiment.

There is danger of great abuses creeping into the prosecution of claims for Indian depredations, and I recommend that every possible safeguard be provided against the enforcement of unjust and fictitious claims of this description.

The appropriations on account of the Indian Bureau for the year ending June 30, 1894, amount to $7,954,962.99, a decrease as compared with the year preceding it of $387,131.95.

The vast area of land which but a short time ago constituted the public domain is rapidly falling into private hands. It is certain that in the transfer the beneficent intention of the Government to supply from its domain homes to the industrious and worthy home seekers is often frustrated. Though the speculator, who stands with extortionate purpose between the land office and those who, with their families, are invited by the Government to settle on the public lands, is a despicable character who ought not to be tolerated, yet it is difficult to thwart his schemes. The recent opening to settlement of the lands in the Cherokee Outlet, embracing an area of 6,500,000 acres, notwithstanding the utmost care in framing the regulations governing the selection of locations and notwithstanding the presence of United States troops, furnished an exhibition, though perhaps in a modified degree, of the mad scramble, the violence, and the fraudulent occupation which have accompanied previous openings of public land.

I concur with the Secretary in the belief that these outrageous incidents can not be entirely prevented without a change in the laws on the subject, and I hope his recommendations in that direction will be favorably considered.

I especially commend to the attention of the Congress the statements contained in the Secretary's report concerning forestry. The time has come when efficient measures should be taken for the preservation of our forests from indiscriminate and remediless destruction.

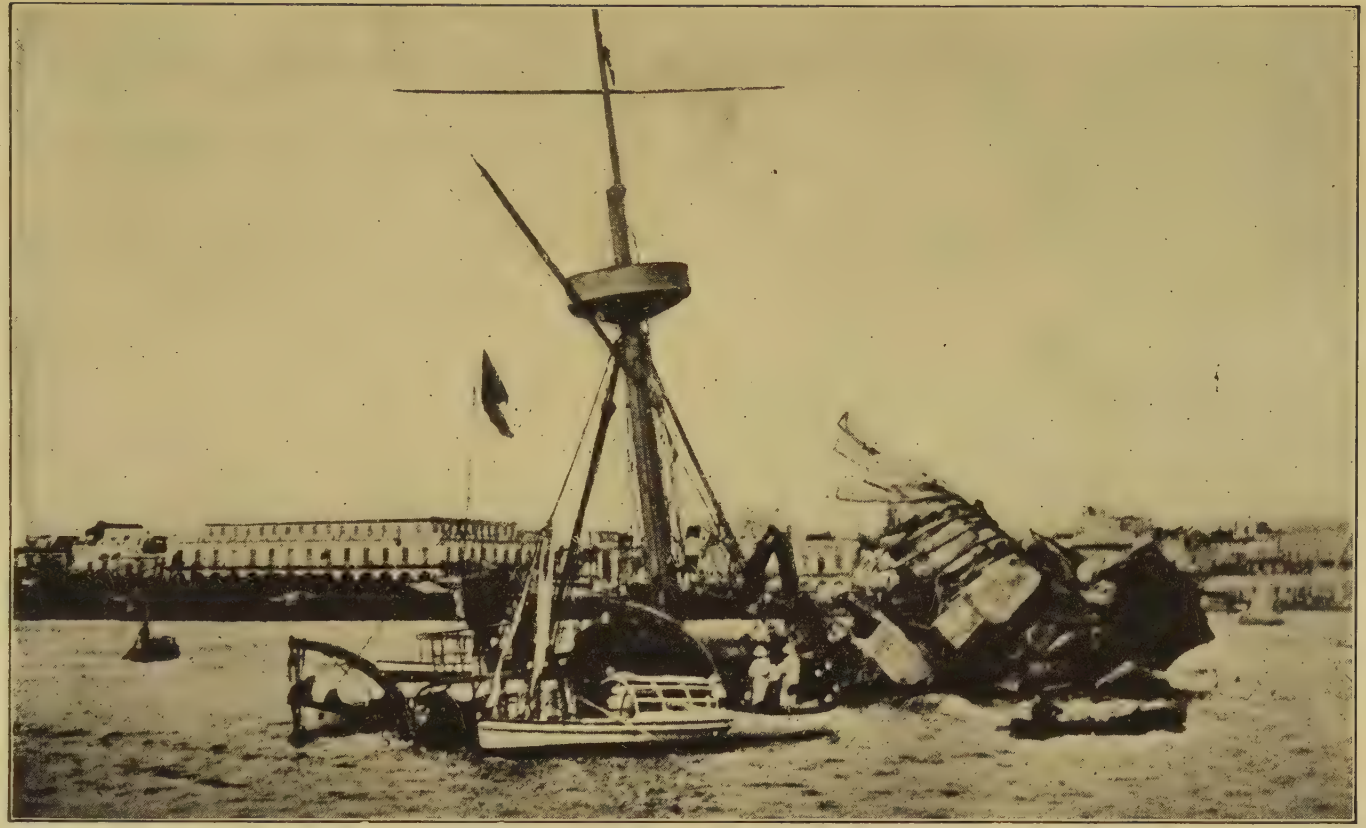
The report of the Secretary of Agriculture will be found exceedingly interesting, especially to that large part of our citizens intimately concerned in agricultural occupations.

On the 7th day of March, 1893, there were upon its pay rolls 2,430 employees. This number has been reduced to 1,850 persons. In view of a depleted public Treasury and the imperative demand of the people for economy in the administration of their Government, the Secretary has entered upon the task of rationally reducing expenditures by the elimination from the pay rolls of all persons not needed for an efficient conduct of the affairs of the Department.

During the first quarter of the present year the expenses of the Department aggregated $345,876.76, as against $402,012.42 for the corresponding period of the fiscal year ending June 30, 1893. The Secretary makes apparent his intention to continue this rate of reduction by submitting estimates for the next fiscal year less by $994,280 than those for the present year.

Among the heads of divisions in this Department the changes have been exceedingly few. Three vacancies occurring from death and resignations have been filled by the promotion of assistants in the same divisions.

These promotions of experienced and faithful assistants have not only been in the interest of efficient work, but have suggested to those in the



THE MAINE A FEW DAYS AFTER THE EXPLOSION

THE WRECK OF THE *MAINE*

"The *Maine* was sent to Havana, Cuba, in January, 1898, on a peaceful mission. She was received by the Spanish forts and naval vessels in the harbor with the courtesies usually extended to visiting warships of a friendly power. Her anchorage was selected by the Spanish authorities. On the night of February 15, 1898, the *Maine* was destroyed by a submarine mine (6277). It was believed that the Spaniards, who at the time were very much incensed at the interest Americans were taking in the Cuban insurrection, had maliciously destroyed the vessel and crew. Two officers and 258 sailors and marines lost their lives by the explosion (6296). An investigation failed to place the responsibility for the catastrophe, and Spain hastened to send a message of regret at what she called an incident. The blowing up of the *Maine* was among the causes of the war with Spain, begun soon afterwards."

Quoted from the article, "Maine, The," in the Encyclopedic Index. The figures in the body of the article refer to pages on which President McKinley, in his official history of the Spanish-American War, refers to the subject.

Department who look for retention and promotion that merit and devotion to duty are their best reliance.

The amount appropriated for the Bureau of Animal Industry for the current fiscal year is $850,000. The estimate for the ensuing year is $700,000.

The regulations of 1892 concerning Texas fever have been enforced during the last year and the large stock yards of the country have been kept free from infection. Occasional local outbreaks have been largely such as could have been effectually guarded against by the owners of the affected cattle.

While contagious pleuro-pneumonia in cattle has been eradicated, animal tuberculosis, a disease widespread and more dangerous to human life than pleuro-pneumonia, is still prevalent. Investigations have been made during the past year as to the means of its communication and the method of its correct diagnosis. Much progress has been made in this direction by the studies of the division of animal pathology, but work ought to be extended, in cooperation with local authorities, until the danger to human life arising from this cause is reduced to a minimum.

The number of animals arriving from Canada during the year and inspected by Bureau officers was 462,092, and the number from transatlantic countries was 1,297. No contagious diseases were found among the imported animals.

The total number of inspections of cattle for export during the past fiscal year was 611,542. The exports show a falling off of about 25 per cent from the preceding year, the decrease occurring entirely in the last half of the year. This suggests that the falling off may have been largely due to an increase in the price of American export cattle.

During the year ending June 30, 1893, exports of inspected pork aggregated 20,677,410 pounds, as against 38,152,874 pounds for the preceding year. The falling off in this export was not confined, however, to inspected pork, the total quantity exported for 1892 being 665,490,616 pounds, while in 1893 it was only 527,308,695 pounds.

I join the Secretary in recommending that hereafter each applicant for the position of inspector or assistant inspector in the Bureau of Animal Industry be required, as a condition precedent to his appointment, to exhibit to the United States Civil Service Commission his diploma from an established, regular, and reputable veterinary college, and that this be supplemented by such an examination in veterinary science as the Commission may prescribe.

The exports of agricultural products from the United States for the fiscal year ending June 30, 1892, attained the enormous figure of $800,000,000, in round numbers, being 78.7 per cent of our total exports. In the last fiscal year this aggregate was greatly reduced, but nevertheless reached 615,000,000, being 75.1 per cent of all American commodities exported.

A review of our agricultural exports with special reference to their destination will show that in almost every line the United Kingdom of Great Britain and Ireland absorbs by far the largest proportion. Of cattle the total exports aggregated in value for the fiscal year ending June 30, 1893, $26,000,000, of which Great Britain took considerably over $25,000,000. Of beef products of all kinds our total exports were $28,000,000, of which Great Britain took $24,000,000. Of pork products the total exports were $84,000,000, of which Great Britain took $53,000,000. In breadstuffs, cotton, and minor products like proportions sent to the same destination are shown.

The work of the statistical division of the Department of Agriculture deals with all that relates to the economics of farming.

The main purpose of its monthly reports is to keep the farmers informed as fully as possible of all matters having any influence upon the world's markets, in which their products find sale. Its publications relate especially to the commercial side of farming.

It is therefore of profound importance and vital concern to the farmers of the United States, who represent nearly one-half of our population, and also of direct interest to the whole country, that the work of this division be efficiently performed and that the information it has gathered be promptly diffused.

It is a matter for congratulation to know that the Secretary will not spare any effort to make this part of his work thoroughly useful.

In the year 1839 the Congress appropriated $1,000, to be taken from the Patent Office funds, for the purpose of collecting and distributing rare and improved varieties of seeds and for prosecuting agricultural investigations and procuring agricultural statistics. From this small beginning the seed division of the Department of Agriculture has grown to its present unwieldy and unjustifiably extravagant proportions.

During the last fiscal year the cost of seeds purchased was $66,548.61. The remainder of an appropriation of $135,000 was expended in putting them up and distributing them. It surely never could have entered the minds of those who first sanctioned appropriations of public money for the purchase of new and improved varieties of seeds for gratuitous distribution that from this would grow large appropriations for the purchase and distribution by members of Congress of ordinary seeds, bulbs, and cuttings which are common in all the States and Territories and everywhere easily obtainable at low prices.

In each State and Territory an agricultural experiment station has been established. These stations, by their very character and name, are the proper agencies to experiment with and test new varieties of seeds; and yet this indiscriminate and wasteful distribution by legislation and legislators continues, answering no purpose unless it be to remind constituents that their representatives are willing to remember them with gratuities at public cost.

Under the sanction of existing legislation there was sent out from the Agricultural Department during the last fiscal year enough of cabbage seed to plant 19,200 acres of land, a sufficient quantity of beans to plant 4,000 acres, beet seed enough to plant 2,500 acres, sweet corn enough to plant 7,800 acres, sufficient cucumber seed to cover 2,025 acres with vines, and enough muskmelon and watermelon seeds to plant 2,675 acres. The total quantity of flower and vegetable seeds thus distributed was contained in more than 9,000,000 packages, and they were sufficient if planted to cover 89,596 acres of land.

In view of these facts this enormous expenditure without legitimate returns of benefit ought to be abolished. Anticipating a consummation so manifestly in the interest of good administration, more than $100,000 has been stricken from the estimate made to cover this object for the year ending June 30, 1895; and the Secretary recommends that the remaining $35,000 of the estimate be confined strictly to the purchase of new and improved varieties of seeds, and that these be distributed through experiment stations.

Thus the seed will be tested, and after the test has been completed by the experiment station the propagation of the useful varieties and the rejection of the valueless may safely be left to the common sense of the people.

The continued intelligent execution of the civil-service law and the increasing approval by the people of its operation are most gratifying. The recent extension of its limitations and regulations to the employees at free-delivery post-offices, which has been honestly and promptly accomplished by the Commission, with the hearty cooperation of the Postmaster-General, is an immensely important advance in the usefulness of the system.

I am, if possible, more than ever convinced of the incalculable benefits conferred by the civil-service law, not only in its effect upon the public service, but also, what is even more important, in its effect in elevating the tone of political life generally.

The course of civil-service reform in this country instructively and interestingly illustrates how strong a hold a movement gains upon our people which has underlying it a sentiment of justice and right and which at the same time promises better administration of their Government.

The law embodying this reform found its way to our statute book more from fear of the popular sentiment existing in its favor than from any love for the reform itself on the part of legislators, and it has lived and grown and flourished in spite of the covert as well as open hostility of spoilsmen and notwithstanding the querulous impracticability of many self-constituted guardians. Beneath all the vagaries and sublimated theories which are attracted to it there underlies this reform a sturdy common-sense principle not only suited to this mundane sphere, but whose application our people are more and more recognizing to be

absolutely essential to the most successful operation of their Government, if not to its perpetuity.

It seems to me to be entirely inconsistent with the character of this reform, as well as with its best enforcement, to oblige the Commission to rely for clerical assistance upon clerks detailed from other Departments. There ought not to be such a condition in any Department that clerks hired to do work there can be spared to habitually work at another place, and it does not accord with a sensible view of civil-service reform that persons should be employed on the theory that their labor is necessary in one Department when in point of fact their services are devoted to entirely different work in another Department.

I earnestly urge that the clerks necessary to carry on the work of the Commission be regularly put upon its roster and that the system of obliging the Commissioners to rely upon the services of clerks belonging to other Departments be discontinued. This ought not to increase the expense to the Government, while it would certainly be more consistent and add greatly to the efficiency of the Commission.

Economy in public expenditure is a duty that can not innocently be neglected by those intrusted with the control of money drawn from the people for public uses. It must be confessed that our apparently endless resources, the familiarity of our people with immense accumulations of wealth, the growing sentiment among them that the expenditure of public money should in some manner be to their immediate and personal advantage, the indirect and almost stealthy manner in which a large part of our taxes is exacted, and a degenerated sense of official accountability have led to growing extravagance in governmental appropriations.

At this time, when a depleted public Treasury confronts us, when many of our people are engaged in a hard struggle for the necessaries of life, and when enforced economy is pressing upon the great mass of our countrymen, I desire to urge with all the earnestness at my command that Congressional legislation be so limited by strict economy as to exhibit an appreciation of the condition of the Treasury and a sympathy with the straitened circumstances of our fellow-citizens.

The duty of public economy is also of immense importance in its intimate and necessary relation to the task now in hand of providing revenue to meet Government expenditures and yet reducing the people's burden of Federal taxation.

After a hard struggle tariff reform is directly before us. Nothing so important claims our attention and nothing so clearly presents itself as both an opportunity and a duty—an opportunity to deserve the gratitude of our fellow-citizens and a duty imposed upon us by our oft-repeated professions and by the emphatic mandate of the people. After full discussion our countrymen have spoken in favor of this reform, and they have confided the work of its accomplishment to the hands of those who are solemnly pledged to it.

If there is anything in the theory of a representation in public places of the people and their desires, if public officers are really the servants of the people, and if political promises and professions have any binding force, our failure to give the relief so long awaited will be sheer recreancy. Nothing should intervene to distract our attention or disturb our effort until this reform is accomplished by wise and careful legislation.

While we should stanchly adhere to the principle that only the necessity of revenue justifies the imposition of tariff duties and other Federal taxation and that they should be limited by strict economy, we can not close our eyes to the fact that conditions have grown up among us which in justice and fairness call for discriminating care in the distribution of such duties and taxation as the emergencies of our Government actually demand.

Manifestly if we are to aid the people directly through tariff reform, one of its most obvious features should be a reduction in present tariff charges upon the necessaries of life. The benefits of such a reduction would be palpable and substantial, seen and felt by thousands who would be better fed and better clothed and better sheltered. These gifts should be the willing benefactions of a Government whose highest function is the promotion of the welfare of the people.

Not less closely related to our people's prosperity and well-being is the removal of restrictions upon the importation of the raw materials necessary to our manufactures. The world should be open to our national ingenuity and enterprise. This can not be while Federal legislation through the imposition of high tariff forbids to American manufacturers as cheap materials as those used by their competitors. It is quite obvious that the enhancement of the price of our manufactured products resulting from this policy not only confines the market for these products within our own borders, to the direct disadvantage of our manufacturers, but also increases their cost to our citizens.

The interests of labor are certainly, though indirectly, involved in this feature of our tariff system. The sharp competition and active struggle among our manufacturers to supply the limited demand for their goods soon fill the narrow market to which they are confined. Then follows a suspension of work in mills and factories, a discharge of employees, and distress in the homes of our workingmen.

Even if the often-disproved assertion could be made good that a lower rate of wages would result from free raw materials and low tariff duties, the intelligence of our workmen leads them quickly to discover that their steady employment, permitted by free raw materials, is the most important factor in their relation to tariff legislation.

A measure has been prepared by the appropriate Congressional committee embodying tariff reform on the lines herein suggested, which will be promptly submitted for legislative action. It is the result of much patriotic and unselfish work, and I believe it deals with its subject consistently and as thoroughly as existing conditions permit.

I am satisfied that the reduced tariff duties provided for in the proposed legislation, added to existing internal-revenue taxation, will in the near future, though perhaps not immediately, produce sufficient revenue to meet the needs of the Government.

The committee, after full consideration and to provide against a temporary deficiency which may exist before the business of the country adjusts itself to the new tariff schedules, have wisely embraced in their plan a few additional internal-revenue taxes, including a small tax upon incomes derived from certain corporate investments.

These new adjustments are not only absolutely just and easily borne, but they have the further merit of being such as can be remitted without unfavorable business disturbance whenever the necessity of their imposition no longer exists.

In my great desire for the success of this measure I can not restrain the suggestion that its success can only be attained by means of unselfish counsel on the part of the friends of tariff reform and as a result of their willingness to subordinate personal desires and ambitions to the general good. The local interests affected by the proposed reform are so numerous and so varied that if all are insisted upon the legislation embodying the reform must inevitably fail.

In conclusion my intense feeling of responsibility impels me to invoke for the manifold interests of a generous and confiding people the most scrupulous care and to pledge my willing support to every legislative effort for the advancement of the greatness and prosperity of our beloved country.

GROVER CLEVELAND.

SPECIAL MESSAGES.

EXECUTIVE MANSION,
Washington, December 18, 1893.

To the Senate and House of Representatives:

In my recent annual message to the Congress I briefly referred to our relations with Hawaii and expressed the intention of transmitting further information on the subject when additional advices permitted.

Though I am not able now to report a definite change in the actual situation, I am convinced that the difficulties lately created both here and in Hawaii, and now standing in the way of a solution through Executive action of the problem presented, render it proper and expedient that the matter should be referred to the broader authority and discretion of Congress, with a full explanation of the endeavor thus far made to deal with the emergency and a statement of the considerations which have governed my action.

I suppose that right and justice should determine the path to be followed in treating this subject. If national honesty is to be disregarded and a desire for territorial extension or dissatisfaction with a form of government not our own ought to regulate our conduct, I have entirely misapprehended the mission and character of our Government and the behavior which the conscience of our people demands of their public servants.

When the present Administration entered upon its duties, the Senate had under consideration a treaty providing for the annexation of the Hawaiian Islands to the territory of the United States. Surely under our Constitution and laws the enlargement of our limits is a manifestation of the highest attribute of sovereignty, and if entered upon as an Executive act all things relating to the transaction should be clear and free from suspicion. Additional importance attached to this particular treaty of annexation because it contemplated a departure from unbroken American tradition in providing for the addition to our territory of islands of the sea more than 2,000 miles removed from our nearest coast.

These considerations might not of themselves call for interference with the completion of a treaty entered upon by a previous Administration, but it appeared from the documents accompanying the treaty when submitted to the Senate that the ownership of Hawaii was tendered to us by a Provisional Government set up to succeed the constitutional ruler of the islands, who had been dethroned, and it did not appear that such Provisional Government had the sanction of either popular revolution or suffrage. Two other remarkable features of the transaction naturally attracted attention. One was the extraordinary haste, not to say precipitancy, characterizing all the transactions connected with the treaty. It appeared that a so-called committee of safety, ostensibly the source of the revolt against the constitutional Government of Hawaii, was organized on Saturday, the 14th day of January; that on Monday, the 16th, the United States forces were landed at Honolulu from a naval vessel lying in its harbor; that on the 17th the scheme of a Provisional Government was perfected, and a proclamation naming its officers was on the same day prepared and read at the Government building; that immediately thereupon the United States minister recognized the Provisional Government thus created; that two days afterwards, on the 19th day of January, commissioners representing such Government sailed for this country in a steamer especially chartered for the occasion, arriving in San Francisco on the 28th day of January and in Washington on the 3d day of February; that on the next day they had their first interview with the Secretary of State, and another on the 11th, when the treaty of annexation was practically agreed upon, and that on the 14th it was formally concluded and on the 15th transmitted to the Senate. Thus between the initiation of the scheme for a Provisional Government in Hawaii,

on the 14th day of January, and the submission to the Senate of the treaty of annexation concluded with such Government the entire interval was thirty-two days, fifteen of which were spent by the Hawaiian commissioners in their journey to Washington.

In the next place, upon the face of the papers submitted with the treaty it clearly appeared that there was open and undetermined an issue of fact of the most vital importance. The message of the President accompanying the treaty* declared that "the overthrow of the monarchy was not in any way promoted by this Government," and in a letter to the President from the Secretary of State, also submitted to the Senate with the treaty, the following passage occurs:

> At the time the Provisional Government took possession of the Government buildings no troops or officers of the United States were present or took any part whatever in the proceedings. No public recognition was accorded to the Provisional Government by the United States minister until after the Queen's abdication and when they were in effective possession of the Government buildings, the archives, the treasury, the barracks, the police station, and all the potential machinery of the Government.

But a protest also accompanied said treaty, signed by the Queen and her ministers at the time she made way for the Provisional Government, which explicitly stated that she yielded to the superior force of the United States, whose minister had caused United States troops to be landed at Honolulu and declared that he would support such Provisional Government.

The truth or falsity of this protest was surely of the first importance. If true, nothing but the concealment of its truth could induce our Government to negotiate with the semblance of a government thus created, nor could a treaty resulting from the acts stated in the protest have been knowingly deemed worthy of consideration by the Senate. Yet the truth or falsity of the protest had not been investigated.

I conceived it to be my duty, therefore, to withdraw the treaty from the Senate for examination, and meanwhile to cause an accurate, full, and impartial investigation to be made of the facts attending the subversion of the constitutional Government of Hawaii and the installment in its place of the Provisional Government. I selected for the work of investigation the Hon. James H. Blount, of Georgia, whose service of eighteen years as a member of the House of Representatives and whose experience as chairman of the Committee of Foreign Affairs in that body, and his consequent familiarity with international topics, joined with his high character and honorable reputation, seemed to render him peculiarly fitted for the duties intrusted to him. His report detailing his action under the instructions given to him and the conclusions derived from his investigation accompany this message.

These conclusions do not rest for their acceptance entirely upon Mr. Blount's honesty and ability as a man, nor upon his acumen and

*See pp. 5783-5784.

impartiality as an investigator. They are accompanied by the evidence upon which they are based, which evidence is also herewith transmitted, and from which it seems to me no other deductions could possibly be reached than those arrived at by the commissioner.

The report, with its accompanying proofs and such other evidence as is now before the Congress or is herewith submitted, justifies, in my opinion, the statement that when the President was led to submit the treaty to the Senate with the declaration that "the overthrow of the monarchy was not in any way promoted by this Government," and when the Senate was induced to receive and discuss it on that basis, both President and Senate were misled.

The attempt will not be made in this communication to touch upon all the facts which throw light upon the progress and consummation of this scheme of annexation. A very brief and imperfect reference to the facts and evidence at hand will exhibit its character and the incidents in which it had its birth.

It is unnecessary to set forth the reasons which in January, 1893, led a considerable proportion of American and other foreign merchants and traders residing at Honolulu to favor the annexation of Hawaii to the United States. It is sufficient to note the fact and to observe that the project was one which was zealously promoted by the minister representing the United States in that country. He evidently had an ardent desire that it should become a fact accomplished by his agency and during his ministry, and was not inconveniently scrupulous as to the means employed to that end. On the 19th day of November, 1892, nearly two months before the first overt act tending toward the subversion of the Hawaiian Government and the attempted transfer of Hawaiian territory to the United States, he addressed a long letter to the Secretary of State, in which the case for annexation was elaborately argued on moral, political, and economical grounds. He refers to the loss to the Hawaiian sugar interests from the operation of the McKinley bill and the tendency to still further depreciation of sugar property unless some positive measure of relief is granted. He strongly inveighs against the existing Hawaiian Government and emphatically declares for annexation. He says:

> In truth, the monarchy here is an absurd anachronism. It has nothing on which it logically or legitimately stands. The feudal basis on which it once stood no longer existing, the monarchy now is only an impediment to good government—an obstruction to the prosperity and progress of the islands.

He further says:

> As a Crown colony of Great Britain or a Territory of the United States the government modifications could be made readily and good administration of the law secured. Destiny and the vast future interests of the United States in the Pacific clearly indicate who at no distant day must be responsible for the government of these islands. Under a Territorial government they could be as easily governed as any of the existing territories of the United States. * * * Hawaii has reached

the parting of the ways. She must now take the road which leads to Asia, or the other, which outlets her in America, gives her an American civilization, and binds her to the care of American destiny.

He also declares:

One of two courses seems to me absolutely necessary to be followed—either bold and vigorous measures for annexation or a "customs union," an ocean cable from the Californian coast to Honolulu, Pearl Harbor perpetually ceded to the United States, with an implied but not expressly stipulated American protectorate over the islands. I believe the former to be the better, that which will prove much the more advantageous to the islands and the cheapest and least embarrassing in the end to the United States. If it was wise for the United States, through Secretary Marcy, thirty-eight years ago, to offer to expend $100,000 to secure a treaty of annexation, it certainly can not be chimerical or unwise to expend $100,000 to secure annexation in the near future. To-day the United States has five times the wealth she possessed in 1854, and the reasons now existing for annexation are much stronger than they were then. I can not refrain from expressing the opinion with emphasis that the golden hour is near at hand.

These declarations certainly show a disposition and condition of mind which may be usefully recalled when interpreting the significance of the minister's conceded acts or when considering the probabilities of such conduct on his part as may not be admitted.

In this view it seems proper to also quote from a letter written by the minister to the Secretary of State on the 8th day of March, 1892, nearly a year prior to the first step taken toward annexation. After stating the possibility that the existing Government of Hawaii might be overturned by an orderly and peaceful revolution, Minister Stevens writes as follows:

Ordinarily, in like circumstances, the rule seems to be to limit the landing and movement of United States forces in foreign waters and dominion exclusively to the protection of the United States legation and of the lives and property of American citizens; but as the relations of the United States to Hawaii are exceptional, and in former years the United States officials here took somewhat exceptional action in circumstances of disorder, I desire to know how far the present minister and naval commander may deviate from established international rules and precedents in the contingencies indicated in the first part of this dispatch.

To a minister of this temper, full of zeal for annexation, there seemed to arise in January, 1893, the precise opportunity for which he was watchfully waiting—an opportunity which by timely "deviation from established international rules and precedents" might be improved to successfully accomplish the great object in view; and we are quite prepared for the exultant enthusiasm with which, in a letter to the State Department dated February 1, 1893, he declares:

The Hawaiian pear is now fully ripe, and this is the golden hour for the United States to pluck it.

As a further illustration of the activity of this diplomatic representative, attention is called to the fact that on the day the above letter was written, apparently unable longer to restrain his ardor, he issued a proclamation whereby, "in the name of the United States," he assumed the

protection of the Hawaiian Islands and declared that said action was "taken pending and subject to negotiations at Washington." Of course this assumption of a protectorate was promptly disavowed by our Government, but the American flag remained over the Government building at Honolulu and the forces remained on guard until April, and after Mr. Blount's arrival on the scene, when both were removed.

A brief statement of the occurrences that led to the subversion of the constitutional Government of Hawaii in the interests of annexation to the United States will exhibit the true complexion of that transaction.

On Saturday, January 14, 1893, the Queen of Hawaii, who had been contemplating the proclamation of a new constitution, had, in deference to the wishes and remonstrances of her cabinet, renounced the project for the present at least. Taking this relinquished purpose as a basis of action, citizens of Honolulu numbering from fifty to one hundred, mostly resident aliens, met in a private office and selected a so-called committee of safety, composed of thirteen persons, seven of whom were foreign subjects, and consisted of five Americans, one Englishman, and one German. This committee, though its designs were not revealed, had in view nothing less than annexation to the United States, and between Saturday, the 14th, and the following Monday, the 16th of January—though exactly what action was taken may not be clearly disclosed—they were certainly in communication with the United States minister. On Monday morning the Queen and her cabinet made public proclamation, with a notice which was specially served upon the representatives of all foreign governments, that any changes in the constitution would be sought only in the methods provided by that instrument. Nevertheless, at the call and under the auspices of the committee of safety, a mass meeting of citizens was held on that day to protest against the Queen's alleged illegal and unlawful proceedings and purposes. Even at this meeting the committee of safety continued to disguise their real purpose and contented themselves with procuring the passage of a resolution denouncing the Queen and empowering the committee to devise ways and means "to secure the permanent maintenance of law and order and the protection of life, liberty, and property in Hawaii." This meeting adjourned between 3 and 4 o'clock in the afternoon. On the same day, and immediately after such adjournment, the committee, unwilling to take further steps without the cooperation of the United States minister, addressed him a note representing that the public safety was menaced and that lives and property were in danger, and concluded as follows:

> We are unable to protect ourselves without aid, and therefore pray for the protection of the United States forces.

Whatever may be thought of the other contents of this note, the absolute truth of this latter statement is incontestable. When the note was written and delivered the committee, so far as it appears, had neither a man nor a gun at their command, and after its delivery they became so

panic-stricken at their position that they sent some of their number to interview the minister and request him not to land the United States forces till the next morning. But he replied that the troops had been ordered and whether the committee were ready or not the landing should take place. And so it happened that on the 16th day of January, 1893, between 4 and 5 o'clock in the afternoon, a detachment of marines from the United States steamer *Boston*, with two pieces of artillery, landed at Honolulu. The men, upward of 160 in all, were supplied with double cartridge belts filled with ammunition and with haversacks and canteens, and were accompanied by a hospital corps with stretchers and medical supplies.

This military demonstration upon the soil of Honolulu was of itself an act of war, unless made either with the consent of the Government of Hawaii or for the *bona fide* purpose of protecting the imperiled lives and property of citizens of the United States. But there is no pretense of any such consent on the part of the Government of the Queen, which at that time was undisputed and was both the *de facto* and the *de jure* Government. In point of fact the existing Government, instead of requesting the presence of an armed force, protested against it. There is as little basis for the pretense that such forces were landed for the security of American life and property. If so, they would have been stationed in the vicinity of such property and so as to protect it, instead of at a distance and so as to command the Hawaiian Government building and palace. Admiral Skerrett, the officer in command of our naval force on the Pacific station, has frankly stated that in his opinion the location of the troops was inadvisable if they were landed for the protection of American citizens, whose residences and places of business, as well as the legation and consulate, were in a distant part of the city; but the location selected was a wise one if the forces were landed for the purpose of supporting the Provisional Government. If any peril to life and property calling for any such martial array had existed, Great Britain and other foreign powers interested would not have been behind the United States in activity to protect their citizens. But they made no sign in that direction. When these armed men were landed the city of Honolulu was in its customary orderly and peaceful condition. There was no symptom of riot or disturbance in any quarter. Men, women, and children were about the streets as usual, and nothing varied the ordinary routine or disturbed the ordinary tranquillity except the landing of the *Boston's* marines and their march through the town to the quarters assigned them. Indeed, the fact that after having called for the landing of the United States forces on the plea of danger to life and property the committee of safety themselves requested the minister to postpone action exposed the untruthfulness of their representations of present peril to life and property. The peril they saw was an anticipation growing out of guilty intentions on their part and something which, though not then existing, they knew

would certainly follow their attempt to overthrow the Government of the Queen without the aid of the United States forces.

Thus it appears that Hawaii was taken possession of by the United States forces without the consent or wish of the Government of the islands, or of anybody else so far as shown except the United States minister. Therefore the military occupation of Honolulu by the United States on the day mentioned was wholly without justification, either as an occupation by consent or as an occupation necessitated by dangers threatening American life and property. It must be accounted for in some other way and on some other ground, and its real motive and purpose are neither obscure nor far to seek.

The United States forces being now on the scene and favorably stationed, the committee proceeded to carry out their original scheme. They met the next morning, Tuesday, the 17th, perfected the plan of temporary government, and fixed upon its principal officers, ten of whom were drawn from the thirteen members of the committee of safety. Between 1 and 2 o'clock, by squads and by different routes to avoid notice, and having first taken the precaution of ascertaining whether there was anyone there to oppose them, they proceeded to the Government building to proclaim the new Government. No sign of opposition was manifest, and thereupon an American citizen began to read the proclamation from the steps of the Government building, almost entirely without auditors. It is said that before the reading was finished quite a concourse of persons, variously estimated at from 50 to 100, some armed and some unarmed, gathered about the committee to give them aid and confidence. This statement is not important, since the one controlling factor in the whole affair was unquestionably the United States marines, who, drawn up under arms and with artillery in readiness only 76 yards distant, dominated the situation.

The Provisional Government thus proclaimed was by the terms of the proclamation "to exist until terms of union with the United States had been negotiated and agreed upon." The United States minister, pursuant to prior agreement, recognized this Government within an hour after the reading of the proclamation, and before 5 o'clock, in answer to an inquiry on behalf of the Queen and her cabinet, announced that he had done so.

When our minister recognized the Provisional Government, the only basis upon which it rested was the fact that the committee of safety had in the manner above stated declared it to exist. It was neither a government *de facto* nor *de jure*. That it was not in such possession of the Government property and agencies as entitled it to recognition is conclusively proved by a note found in the files of the legation at Honolulu, addressed by the declared head of the Provisional Government to Minister Stevens, dated January 17, 1893, in which he acknowledges with expressions of appreciation the minister's recognition of the Provisional

Government, and states that it is not yet in the possession of the station house (the place where a large number of the Queen's troops were quartered), though the same had been demanded of the Queen's officers in charge. Nevertheless, this wrongful recognition by our minister placed the Government of the Queen in a position of most perilous perplexity. On the one hand she had possession of the palace, of the barracks, and of the police station, and had at her command at least 500 fully armed men and several pieces of artillery. Indeed, the whole military force of her Kingdom was on her side and at her disposal, while the committee of safety, by actual search, had discovered that there were but very few arms in Honolulu that were not in the service of the Government.

In this state of things, if the Queen could have dealt with the insurgents alone, her course would have been plain and the result unmistakable. But the United States had allied itself with her enemies, had recognized them as the true Government of Hawaii, and had put her and her adherents in the position of opposition against lawful authority. She knew that she could not withstand the power of the United States, but she believed that she might safely trust to its justice. Accordingly, some hours after the recognition of the Provisional Government by the United States minister, the palace, the barracks, and the police station, with all the military resources of the country, were delivered up by the Queen upon the representation made to her that her cause would thereafter be reviewed at Washington, and while protesting that she surrendered to the superior force of the United States, whose minister had caused United States troops to be landed at Honolulu and declared that he would support the Provisional Government, and that she yielded her authority to prevent collision of armed forces and loss of life, and only until such time as the United States, upon the facts being presented to it, should undo the action of its representative and reinstate her in the authority she claimed as the constitutional sovereign of the Hawaiian Islands.

This protest was delivered to the chief of the Provisional Government, who indorsed thereon his acknowledgment of its receipt. The terms of the protest were read without dissent by those assuming to constitute the Provisional Government, who were certainly charged with the knowledge that the Queen, instead of finally abandoning her power, had appealed to the justice of the United States for reinstatement in her authority; and yet the Provisional Government, with this unanswered protest in its hand, hastened to negotiate with the United States for the permanent banishment of the Queen from power and for a sale of her Kingdom.

Our country was in danger of occupying the position of having actually set up a temporary government on foreign soil for the purpose of acquiring through that agency territory which we had wrongfully put in its possession. The control of both sides of a bargain acquired in such a manner is called by a familiar and unpleasant name when found in private transactions. We are not without a precedent showing how scrupulously

we avoided such accusations in former days. After the people of Texas had declared their independence of Mexico they resolved that on the acknowledgment of their independence by the United States they would seek admission into the Union. Several months after the battle of San Jacinto, by which Texan independence was practically assured and established, President Jackson declined to recognize it, alleging as one of his reasons that in the circumstances it became us "to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory with a view to its subsequent acquisition by ourselves." This is in marked contrast with the hasty recognition of a government openly and concededly set up for the purpose of tendering to us territorial annexation.

I believe that a candid and thorough examination of the facts will force the conviction that the Provisional Government owes its existence to an armed invasion by the United States. Fair-minded people, with the evidence before them, will hardly claim that the Hawaiian Government was overthrown by the people of the islands or that the Provisional Government had ever existed with their consent. I do not understand that any member of this Government claims that the people would uphold it by their suffrages if they were allowed to vote on the question.

While naturally sympathizing with every effort to establish a republican form of government, it has been the settled policy of the United States to concede to people of foreign countries the same freedom and independence in the management of their domestic affairs that we have always claimed for ourselves, and it has been our practice to recognize revolutionary governments as soon as it became apparent that they were supported by the people. For illustration of this rule I need only to refer to the revolution in Brazil in 1889, when our minister was instructed to recognize the Republic "so soon as a majority of the people of Brazil should have signified their assent to its establishment and maintenance;" to the revolution in Chile in 1891, when our minister was directed to recognize the new Government "if it was accepted by the people," and to the revolution in Venezuela in 1892, when our recognition was accorded on condition that the new Government was "fully established, in possession of the power of the nation, and accepted by the people."

As I apprehend the situation, we are brought face to face with the following conditions:

The lawful Government of Hawaii was overthrown without the drawing of a sword or the firing of a shot by a process every step of which, it may safely be asserted, is directly traceable to and dependent for its success upon the agency of the United States acting through its diplomatic and naval representatives.

But for the notorious predilections of the United States minister for annexation the committee of safety, which should be called the committee of annexation, would never have existed.

But for the landing of the United States forces upon false pretexts respecting the danger to life and property the committee would never have exposed themselves to the pains and penalties of treason by undertaking the subversion of the Queen's Government.

But for the presence of the United States forces in the immediate vicinity and in position to afford all needed protection and support the committee would not have proclaimed the Provisional Government from the steps of the Government building.

And finally, but for the lawless occupation of Honolulu under false pretexts by the United States forces, and but for Minister Stevens's recognition of the Provisional Government when the United States forces were its sole support and constituted its only military strength, the Queen and her Government would never have yielded to the Provisional Government, even for a time and for the sole purpose of submitting her case to the enlightened justice of the United States.

Believing, therefore, that the United States could not, under the circumstances disclosed, annex the islands without justly incurring the imputation of acquiring them by unjustifiable methods, I shall not again submit the treaty of annexation to the Senate for its consideration, and in the instructions to Minister Willis, a copy of which accompanies this message, I have directed him to so inform the Provisional Government.

But in the present instance our duty does not, in my opinion, end with refusing to consummate this questionable transaction. It has been the boast of our Government that it seeks to do justice in all things without regard to the strength or weakness of those with whom it deals. I mistake the American people if they favor the odious doctrine that there is no such thing as international morality; that there is one law for a strong nation and another for a weak one, and that even by indirection a strong power may with impunity despoil a weak one of its territory.

By an act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress, the Government of a feeble but friendly and confiding people has been overthrown. A substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires we should endeavor to repair. The Provisional Government has not assumed a republican or other constitutional form, but has remained a mere executive council or oligarchy, set up without the assent of the people. It has not sought to find a permanent basis of popular support and has given no evidence of an intention to do so. Indeed, the representatives of that Government assert that the people of Hawaii are unfit for popular government and frankly avow that they can be best ruled by arbitrary or despotic power.

The law of nations is founded upon reason and justice, and the rules of conduct governing individual relations between citizens or subjects of a civilized state are equally applicable as between enlightened nations.

The considerations that international law is without a court for its enforcement and that obedience to its commands practically depends upon good faith instead of upon the mandate of a superior tribunal only give additional sanction to the law itself and brand any deliberate infraction of it not merely as a wrong, but as a disgrace. A man of true honor protects the unwritten word which binds his conscience more scrupulously, if possible, than he does the bond a breach of which subjects him to legal liabilities, and the United States, in aiming to maintain itself as one of the most enlightened nations, would do its citizens gross injustice if it applied to its international relations any other than a high standard of honor and morality. On that ground the United States can not properly be put in the position of countenancing a wrong after its commission any more than in that of consenting to it in advance. On that ground it can not allow itself to refuse to redress an injury inflicted through an abuse of power by officers clothed with its authority and wearing its uniform; and on the same ground, if a feeble but friendly state is in danger of being robbed of its independence and its sovereignty by a misuse of the name and power of the United States, the United States can not fail to vindicate its honor and its sense of justice by an earnest effort to make all possible reparation.

These principles apply to the present case with irresistible force when the special conditions of the Queen's surrender of her sovereignty are recalled. She surrendered, not to the Provisional Government, but to the United States. She surrendered, not absolutely and permanently, but temporarily and conditionally until such time as the facts could be considered by the United States. Furthermore, the Provisional Government acquiesced in her surrender in that manner and on those terms, not only by tacit consent, but through the positive acts of some members of that Government, who urged her peaceable submission, not merely to avoid bloodshed, but because she could place implicit reliance upon the justice of the United States and that the whole subject would be finally considered at Washington.

I have not, however, overlooked an incident of this unfortunate affair which remains to be mentioned. The members of the Provisional Government and their supporters, though not entitled to extreme sympathy, have been led to their present predicament of revolt against the Government of the Queen by the indefensible encouragement and assistance of our diplomatic representative. This fact may entitle them to claim that in our effort to rectify the wrong committed some regard should be had for their safety. This sentiment is strongly seconded by my anxiety to do nothing which would invite either harsh retaliation on the part of the Queen or violence and bloodshed in any quarter. In the belief that the Queen, as well as her enemies, would be willing to adopt such a course as would meet these conditions, and in view of the fact that both the Queen and the Provisional Government had at one time apparently

acquiesced in a reference of the entire case to the United States Government, and considering the further fact that in any event the Provisional Government by its own declared limitation was only "to exist until terms of union with the United States of America have been negotiated and agreed upon," I hoped that after the assurance to the members of that Government that such union could not be consummated I might compass a peaceful adjustment of the difficulty.

Actuated by these desires and purposes, and not unmindful of the inherent perplexities of the situation nor of the limitations upon my power, I instructed Minister Willis to advise the Queen and her supporters of my desire to aid in the restoration of the status existing before the lawless landing of the United States forces at Honolulu on the 16th of January last if such restoration could be effected upon terms providing for clemency as well as justice to all parties concerned. The conditions suggested, as the instructions show, contemplate a general amnesty to those concerned in setting up the Provisional Government and a recognition of all its *bona fide* acts and obligations. In short, they require that the past should be buried and that the restored Government should reassume its authority as if its continuity had not been interrupted These conditions have not proved acceptable to the Queen, and though she has been informed that they will be insisted upon and that unless acceded to the efforts of the President to aid in the restoration of her Government will cease, I have not thus far learned that she is willing to yield them her acquiescence. The check which my plans have thus encountered has prevented their presentation to the members of the Provisional Government, while unfortunate public misrepresentations of the situation and exaggerated statements of the sentiments of our people have obviously injured the prospects of successful Executive mediation.

I therefore submit this communication, with its accompanying exhibits, embracing Mr. Blount's report, the evidence and statements taken by him at Honolulu, the instructions given to both Mr. Blount and Minister Willis, and correspondence connected with the affair in hand.

In commending this subject to the extended powers and wide discretion of the Congress I desire to add the assurance that I shall be much gratified to cooperate in any legislative plan which may be devised for the solution of the problem before us which is consistent with American honor, integrity, and morality.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 18, 1893.

To the Senate of the United States:

In compliance with a resolution passed by the Senate on the 6th instant, I hereby transmit reports of the Secretaries of State and of the Navy, with copies of all instructions given to the respective diplomatic

and naval representatives of the United States in the Hawaiian Islands since the 4th day of March, 1881, touching the matters specified in the resolution.

It has seemed convenient to include in the present communication to the Senate copies of the diplomatic correspondence concerning the political condition of Hawaii, prepared for transmission to the House of Representatives in response to a later resolution passed by that body on the 13th instant.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 18, 1893.

To the House of Representatives:

In compliance with a resolution passed by your honorable body on the 13th instant, I hereby transmit a report of the Secretary of State, with copies of the instructions given to Mr. Albert S. Willis, the representative of the United States now in the Hawaiian Islands, and also the correspondence since the 4th day of March, 1889, concerning the relations of this Government to those islands.

In making this communication I have withheld only a dispatch from the former minister to Hawaii, numbered 70, under date of October 8, 1892, and a dispatch from the present minister, numbered 3, under date of November 16, 1893, because in my opinion the publication of these two papers would be incompatible with the public interest.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 4, 1894.*

To the Senate of the United States:

I transmit herewith a report of the Secretary of State, submitted in compliance with the resolution of October 17 last, in the matter of the claim of certain persons against the Government of Spain for illegal arrest off the coast of Yucatan in the year 1850, and subsequent imprisonment.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 13, 1894.*

To the Congress:

I transmit herewith copies of all dispatches from our minister at Hawaii relating in any way to political affairs in that country, except such as have been heretofore laid before the Congress.

I also transmit a copy of the last instructions sent to our minister, dated January 12, 1894, being the only instructions to him not already sent to the Congress.

In transmitting certain correspondence with my message dated December 18, 1893, I withheld a dispatch from our present minister, numbered 3

and dated November 16, 1893, and also a dispatch from our former minister, numbered 70 and dated October 8, 1892. Inasmuch as the contents of the dispatch of November 16, 1893, are referred to in the dispatches of a more recent date, now sent to Congress, and inasmuch as there seems no longer to be sufficient reason for withholding said dispatch, a copy of the same is herewith submitted. The dispatch numbered 70 and dated October 8, 1892, above referred to, is still withheld for the reason that such a course still appears to be justifiable and proper.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 20, 1894.*

To the Congress:

I transmit herewith dispatches received yesterday from our minister at Hawaii, with certain correspondence which accompanied the same, including a most extraordinary letter, dated December 27, 1893, signed by Sanford B. Dole, minister of foreign affairs of the Provisional Government, addressed to our minister, Mr. Willis, and delivered to him a number of hours after the arrival at Honolulu of a copy of my message to Congress on the Hawaiian question, with copies of instructions given to our minister.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 22, 1894.*

To the Congress:

I transmit herewith copies of dispatches received from our minister to Hawaii after the arrival of those copies which accompanied my message of the 20th instant. I also inclose, for the information of Congress, copies of reports and a copy of an order just received by the Secretary of the Navy from Rear-Admiral Irwin, commanding our naval forces at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 2, 1894.*

To the Congress:

I transmit a communication from the Secretary of State, accompanying a dispatch received a few days ago from our minister at Hawaii.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 12, 1894.

To the Congress:

I transmit herewith two dispatches received a few days ago from our minister at Hawaii, and a reply to one of them from the Secretary of State, in which a correct version is given of an interview which occurred November 14, 1893, between the Secretary of State and Mr. Thurston, representing the Provisional Government at Washington.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 16, 1894.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a communication from the Secretary of State, covering the report of the Director of the Bureau of the American Republics for the year 1893.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 19, 1894.*

To the House of Representatives:

I herewith transmit copies of certain dispatches recently received from our minister at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 19, 1894.*

To the Senate:

On the evening of the 16th instant I received a copy of a resolution passed by the Senate, requesting the transmission to that body of all reports and dispatches from our minister at Hawaii, and especially a certain letter written to him by Mr. Dole, President of the Provisional Government.

On the same day I received from the State Department a copy of a dispatch from Minister Willis, accompanied by various exhibits. I was not able to send them to the Senate on that day. The Senate adjourned that afternoon until to-day, and thus prevented the submission until now of these papers.

The next day after the receipt of the Senate resolution, and on the 17th instant, other dispatches were received from Mr. Willis at the State Department. They were copied with all possible haste, and are now submitted at the first meeting of the Senate since their receipt. They include the letter mentioned in the Senate resolution and the answer of Minister Willis to the same.

Since the 18th day of December last, when I submitted to the "broader authority and discretion of the Congress" all matters connected with our relations with Hawaii, I have with the utmost promptness transmitted to the Congress all dispatches and reports relative to the subject, and I am not aware of any dispatches or documents in the remotest way connected with these relations which have come to the possession of the State Department or the Executive and been withheld from the Senate.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 7, 1894.

To the Senate of the United States:

I transmit herewith a report submitted by the Secretary of State in response to the resolution of the Senate dated January 23, 1894, requesting

communication of correspondence exchanged between the Government of the United States and the Governments of Colombia, Venezuela, and Hayti.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 7, 1894.*

To the Congress:

I transmit herewith copies of certain dispatches lately received from our minister at Hawaii, together with copies of the inclosures which accompanied such dispatches.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 8, 1894.*

To the Senate of the United States:

I transmit herewith a report furnished by the Secretary of State in response to a resolution of the Senate of the 1st instant, making inquiry respecting the present condition of the *Virginius* indemnity fund.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, D. C., March 14, 1894.

To the Senate:

I herewith transmit a report* of the Secretary of State of the 14th instant, concerning the several inquiries in the resolution of the Senate addressed to him under date of the 9th instant.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 19, 1894.

To the Senate:

I transmit herewith, with a view to its ratification, a convention concluded at this capital on the 17th instant between the United States and China concerning the subject of emigration between those two countries.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 19, 1894.

To the Senate:

I transmit herewith a report from the Secretary of State, concerning the landing of British troops at Bluefields, Nicaragua, in answer to the resolution of the Senate of the 7th instant on that subject.

GROVER CLEVELAND.

*Relating to the coined silver money and the products of India, Russia, and the Argentine Republic.

EXECUTIVE MANSION, *March 19, 1894.*

To the Congress:

I transmit herewith a copy of a dispatch received from our minister at Hawaii, together with copies of the inclosures which accompanied said dispatch.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 3, 1894.

To the Senate:

I transmit herewith report from the Secretary of State, inclosing the final report of the agent of the United States before the Paris Tribunal, also the protocols thus far received and certain other papers relating to that arbitration.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 13, 1894.

To the Congress:

I transmit herewith copies of certain dispatches from the United States minister at Honolulu, received by the Secretary of State since my message of March 19, 1894.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 21, 1894.

To the Congress:

I transmit herewith a communication from the Secretary of State, covering a dispatch from the United States minister at Honolulu and reply thereto.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, D. C., May 1, 1894.

To the Senate and House of Representatives:

I transmit herewith the ninth annual report of the Commissioner of Labor. This report relates entirely to building and loan associations in the United States.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 9, 1894.

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of April 6, 1894, a report of the Secretary of State, containing the requested information as to the present condition of affairs in the Samoan Islands, with copies of the correspondence in relation thereto, including that with the Governments of Great Britain and Germany.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 9, 1894.

To the Congress:

I transmit herewith a communication from the Secretary of State, in regard to recent dispatches from the United States minister at Honolulu, received since my message of April 21, 1894, and also a dispatch from the minister dated April 14, 1894.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 29, 1894.

To the Congress:

I herewith transmit, having regard to my message of May 9, 1894, a communication from the Secretary of State, covering a dispatch from the United States minister at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, June 20, 1894.

To the Senate:

I transmit herewith, in response to the resolution of the Senate of December 20, 1893, a report from the Acting Secretary of State, covering the desired copies of correspondence in the matter of the claim of Antonio Maximo Mora against Spain.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, June 23, 1894.

To the Congress:

I herewith transmit a communication covering dispatches from the United States minister at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 25, 1894.*

To the Senate and House of Representatives:

The shocking intelligence has been received that the President of the French Republic met his death yesterday at the hands of an assassin. This terrible event which has overtaken a sister Republic can not fail to deeply arouse the sympathies of the American nation, while the violent termination of a career promising so much in aid of liberty and advancing civilization should be mourned as an affliction to mankind.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 29, 1894.*

To the Senate of the United States:

Answering a resolution of your honorable body dated the 13th instant, I transmit herewith a report* of the Secretary of State, with an

*Relating to the probable retaliatory action of foreign governments for the proposed imposition by the United States of a duty on sugar.

accompanying document, which contain all the information in my possession touching the matters embraced in said resolution.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, July 9, 1894.

To the Senate:

I transmit herewith, in further response to the Senate resolution of April 6, 1894, a report from the Secretary of State, accompanied by copies of certain correspondence relating to Samoan affairs.

GROVER CLEVELAND.

EXECUTIVE MANSION, *July 19, 1894.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 18th instant, the House of Representatives concurring, I return herewith the bill (S. 1105) entitled "An act for the relief of Albert Redstone."

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, July 24, 1894.

To the Congress:

I herewith transmit a communication from the Secretary of State, covering a dispatch from the United States minister at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, D. C., July 27, 1894.

To the Senate and House of Representatives:

I transmit herewith the seventh special report of the Commissioner of Labor. This report relates to what is generally known as the slums of cities, and has been prepared in accordance with a joint resolution approved July 20, 1892.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, July 30, 1894.

To the Congress:

I herewith transmit a communication from the Secretary of State, covering two dispatches from the United States minister at Honolulu.

GROVER CLEVELAND.

VETO MESSAGES.

EXECUTIVE MANSION, *January 17, 1894.*

To the House of Representatives:

I return without my approval House bill No. 71, entitled "An act for the relief of purchasers of timber and stone lands under the act of June 3, 1878."

This bill permits the proofs and affidavits which under present statutes parties desiring to acquire certain public lands are required to make before the registers and receivers of the land offices within which such lands are located to be made before any commissioner of the United States circuit court or before the judge or clerk of any court of records of the county or parish in which the lands are situated.

A similar bill was passed by the Fifty-second Congress and was disapproved by the Commissioner of the General Land Office and the Secretary of the Interior. The successors of these officers oppose the present bill on the ground that in its operation it would open the door to fraud and to a perversion of the intentions of the Government in relation to the public lands.

It is difficult, with the most scrupulous care, to guard the alienation of our public lands from fraud and illegal practices. It is perfectly plain, however, that the prospect of accomplishing this result is better under present laws, which require the necessary proofs to be made before land officers who are appointed for that purpose and who are under the control of the General Land Office and amenable to its regulations, than it would be by substituting other officers over whom the Land Office has no control.

Certain rules and orders of the Land Office are now in force which regulate the taking of the necessary proofs and permit oral examinations by registers and receivers. These regulations are of the utmost importance if our land laws are to be justly and honestly administered.

I fully concur in the objections made to this bill by the officers having charge of the public lands in the last Administration and by their successors who are now charged with that responsibility. I am convinced that such a relaxation of our existing land laws as is contemplated by the bill under consideration would not be in the interest of good administration.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 20, 1894.*

To the House of Representatives:

I hereby return without my approval House bill No. 3289, entitled "An act to authorize the New York and New Jersey Bridge Companies

to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey."

This bill authorizes the construction of a bridge over the North River between the States of New York and New Jersey, the terminus of which in the city of New York shall not be below Sixty-sixth street. It contemplates the construction of a bridge upon piers placed in the river. No mention is made of a single span crossing the entire river, nor is there anything in the bill indicating that it was within the intention of the Congress that there should be a bridge built without piers. I am by no means certain that the Secretary of War, who is invested by the terms of the bill with considerable discretion so far as the plans for the structure are concerned, would have the right to exact of the promoters of this enterprise the erection of a bridge spanning the entire river.

Much objection has been made to the location of any piers in the river for the reason that they would seriously interfere with the commerce which seeks the port of New York through that channel. It is certainly very questionable whether piers should be permitted at all in the North River at the point designated for the location of this bridge. It seems absolutely certain that within a few years a great volume of shipping will extend to that location, which would be seriously embarrassed by such obstruction.

I appreciate fully the importance of securing some means by which railroad traffic can cross this river, and no one can fail to realize the serious inconvenience to travel caused by lack of facilities of that character. At the same time, it is a plain dictate of wisdom and expediency that the commerce of the river be not unnecessarily interfered with by bridges or in any other manner.

Engineers whose judgment upon the matter can not be questioned, including the engineer of the company proposing to build this bridge, have expressed the opinion that the entire river can be spanned safely and effectively by a suspension bridge, or a construction not needing the use of piers.

The company to which the permission to bridge the river is granted in the bill under consideration was created by virtue of an act of the legislature of the State of New York which became a law, by reason of the failure of the governor to either approve or veto the same, on the 30th day of April, 1890. It may be safely assumed that the members of the legislature which passed this law knew what was necessary for the protection of the commerce of the city of New York and had informed themselves concerning the plan of a bridge that should be built in view of all the interests concerned.

By paragraph 24 of the law creating this company it is provided that "the said bridge shall be constructed with a single span over the entire river between towers or piers located between the span and the existing pier-head lines in either State," and that "no pier or tower or other

obstruction of a permanent character shall be placed or built in the river between said towers or piers under this act."

In view of such professional judgment, and considering the interests which would be interfered with by the location of piers in the river, and having due regard to the judgment of the legislature of the State of New York, it seems to me that a plan necessitating the use of piers in the bed of the river should be avoided. The question of increased expense of construction or the compromise of conflicting interests should not outweigh the other important considerations involved.

I notice the bill provides that the companies availing themselves of its privileges shall receive no greater pay for transporting the mails across the bridge than is allowed per mile to railroads using the same. If this is intended, as the language seems to import, to authorize this bridge company to charge the United States Government a toll for the carriage of its mails across the bridge equal to the amount which may be paid per mile by the Government for carrying the mails by railroads crossing the bridge, it seems to me it should not be allowed. The expense to the Government for carrying the mails over the structure should beyond any doubt be limited to the compensation paid the railroads for transportation.

An exceedingly important objection to the bill remains to be considered. In 1890 the North River Bridge Company was incorporated by an act of Congress for the purpose of constructing a bridge across the North River, the New York terminus of which was located at or near Twenty-third street in the city of New York. The proposition to construct the bridge at that point was a subject very carefully and thoroughly examined at that time and during the agitation of the project for a number of years prior to the passage of the act. As a result of such examination and much discussion, Congress granted permission to this company to construct a bridge having a single span and suspended from towers on each side of the river, and in the act especially prohibited the placing of any piers in the river, either of a temporary or of a permanent character, in connection with said bridge. This plan to bridge the river without piers was at that time considered feasible by the engineers of the company, and it accepted the terms of the act. Before this permission was finally granted a number of bills were introduced in the Congress covering the same subject, which were referred to Government engineers. Reports were made by these officers in every case insisting upon a construction with a single span and without piers in the bed of the river.

The eighth subdivision of the bill herewith returned provides that any company heretofore created for the purpose of bridging the river may avail itself of the provisions of the act, and makes such company subject to all its provisions. This, of course, has reference to the North River Bridge Company and releases that company from the prohibition of the act under which it was permitted to span the river and permits it to

construct piers in the river. It seems to me that the language of the bill under consideration, so far as it relates to this particular feature, is equivalent to a new grant to that company, differing very materially from the grant which was thought expedient at the time it was before the Congress, and removes the guaranty that in the construction of its bridge there shall be no obstructions in the river such as were especially guarded against by the bill originally passed for its benefit. In effect a new charter is granted to a company not named in the bill, and with no apparent reason for the important enlargement of its privileges thus accomplished. It is entirely apparent that the reasons against obstructions in the North River which might interfere with commerce and navigation and the beneficial use of the harbor of New York are immensely strengthened when they are applied to a location in the river far below the location of the bridge which is permitted in the bill now before me.

Whatever question there may be about the injurious character of the obstruction at Sixty-sixth street in New York City, I believe there can be no doubt whatever that piers placed in the river more than 2 miles below, at Twenty-third street, would be very serious impediments. If this thoroughfare, so important to the commerce of the country and the State of New York, is to be crossed by bridges, each scheme for that purpose should be considered by itself and its merits and advisability determined by the circumstances which naturally belong to it. The objection to piers in the river for the purpose of supporting bridges is in any event so serious that the considerations which would determine the question of a bridge located at Sixty-sixth street ought not in such an indirect manner as is done by this bill be applied to a like structure at Twenty-third street.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 29, 1894.*

To the House of Representatives:

I return without my approval House bill No. 4956, entitled "An act directing the coinage of the silver bullion held in the Treasury, and for other purposes."

My strong desire to avoid disagreement with those in both Houses of Congress who have supported this bill would lead me to approve it if I could believe that the public good would not be thereby endangered and that such action on my part would be a proper discharge of official duty. Inasmuch, however, as I am unable to satisfy myself that the proposed legislation is either wise or opportune, my conception of the obligations and responsibilities attached to the great office I hold forbids the indulgence of my personal desire and inexorably confines me to that course which is dictated by my reason and judgment and pointed out by a sincere purpose to protect and promote the general interests of our people.

The financial disturbance which swept over the country during the

last year was unparalleled in its severity and disastrous consequences. There seemed to be almost an entire displacement of faith in our financial ability and a loss of confidence in our fiscal policy. Among those who attempted to assign causes for our distress it was very generally conceded that the operation of a provision of law then in force which required the Government to purchase monthly a large amount of silver bullion and issue its notes in payment therefor was either entirely or to a large extent responsible for our condition. This led to the repeal on the 1st day of November, 1893, of this statutory provision.

We had, however, fallen so low in the depths of depression and timidity and apprehension had so completely gained control in financial circles that our rapid recuperation could not be reasonably expected. Our recovery has, nevertheless, steadily progressed, and though less than five months have elapsed since the repeal of the mischievous silver-purchase requirement a wholesome improvement is unmistakably apparent. Confidence in our absolute solvency is to such an extent reinstated and faith in our disposition to adhere to sound financial methods is so far restored as to produce the most encouraging results both at home and abroad. The wheels of domestic industry have been slowly set in motion and the tide of foreign investment has again started in our direction.

Our recovery being so well under way, nothing should be done to check our convalescence; nor should we forget that a relapse at this time would almost surely reduce us to a lower stage of financial distress than that from which we are just emerging.

I believe that if the bill under consideration should become a law it would be regarded as a retrogression from the financial intentions indicated by our recent repeal of the provision forcing silver-bullion purchases; that it would weaken, if it did not destroy, returning faith and confidence in our sound financial tendencies, and that as a consequence our progress to renewed business health would be unfortunately checked and a return to our recent distressing plight seriously threatened.

This proposed legislation is so related to the currency conditions growing out of the law compelling the purchase of silver by the Government that a glance at such conditions and a partial review of the law referred to may not be unprofitable.

Between the 14th day of August, 1890, when the law became operative, and the 1st day of November, 1893, when the clause it contained directing the purchase of silver was repealed, there were purchased by the Secretary of the Treasury more than 168,000,000 ounces of silver bullion. In payment for this bullion the Government issued its Treasury notes, of various denominations, amounting to nearly $156,000,000, which notes were immediately added to the currency in circulation among our people. Such notes were by the law made legal tender in payment of all debts, public and private, except when otherwise expressly stipulated, and were made receivable for customs, taxes, and all public dues,

and when so received might be reissued. They were also permitted to be held by banking associations as a part of their lawful reserves.

On the demand of the holders these Treasury notes were to be redeemed in gold or silver coin, in the discretion of the Secretary of the Treasury; but it was declared as a part of this redemption provision that it was "the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio or such ratio as may be provided by law." The money coined from such bullion was to be standard silver dollars, and after directing the immediate coinage of a little less than 28,000,000 ounces the law provided that as much of the remaining bullion should be thereafter coined as might be necessary to provide for the redemption of the Treasury notes issued on its purchase, and that "any gain or seigniorage arising from such coinage shall be accounted for and paid into the Treasury."

This gain or seigniorage evidently indicates so much of the bullion owned by the Government as should remain after using a sufficient amount to coin as many standard silver dollars as should equal in number the dollars represented by the Treasury notes issued in payment of the entire quantity of bullion. These Treasury notes now outstanding and in circulation amount to $152,951,280, and although there has been thus far but a comparatively small amount of this bullion coined, yet the so-called gain or seigniorage, as above defined, which would arise from the coinage of the entire mass has been easily ascertained to be a quantity of bullion sufficient to make when coined 55,156,681 standard silver dollars.

Considering the present intrinsic relation between gold and silver, the maintenance of the parity between the two metals, as mentioned in this law, can mean nothing less than the maintenance of such a parity in the estimation and confidence of the people who use our money in their daily transactions. Manifestly the maintenance of this parity can only be accomplished, so far as it is affected by these Treasury notes and in the estimation of the holders of the same, by giving to such holders on their redemption the coin, whether it is gold or silver, which they prefer. It follows that while in terms the law leaves the choice of coin to be paid on such redemption to the discretion of the Secretary of the Treasury, the exercise of this discretion, if opposed to the demands of the holder, is entirely inconsistent with the effective and beneficial maintenance of the parity between the two metals.

If both gold and silver are to serve us as money and if they together are to supply to our people a safe and stable currency, the necessity of preserving this parity is obvious. Such necessity has been repeatedly conceded in the platforms of both political parties and in our Federal statutes. It is nowhere more emphatically recognized than in the recent law which repealed the provision under which the bullion now on hand was purchased. This law insists upon the "maintenance of the parity

in value of the coins of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts."

The Secretary of the Treasury has therefore, for the best of reasons, not only promptly complied with every demand for the redemption of these Treasury notes in gold, but the present situation as well as the letter and spirit of the law appear plainly to justify, if they do not enjoin upon him, a continuation of such redemption.

The conditions I have endeavored to present may be thus summarized:

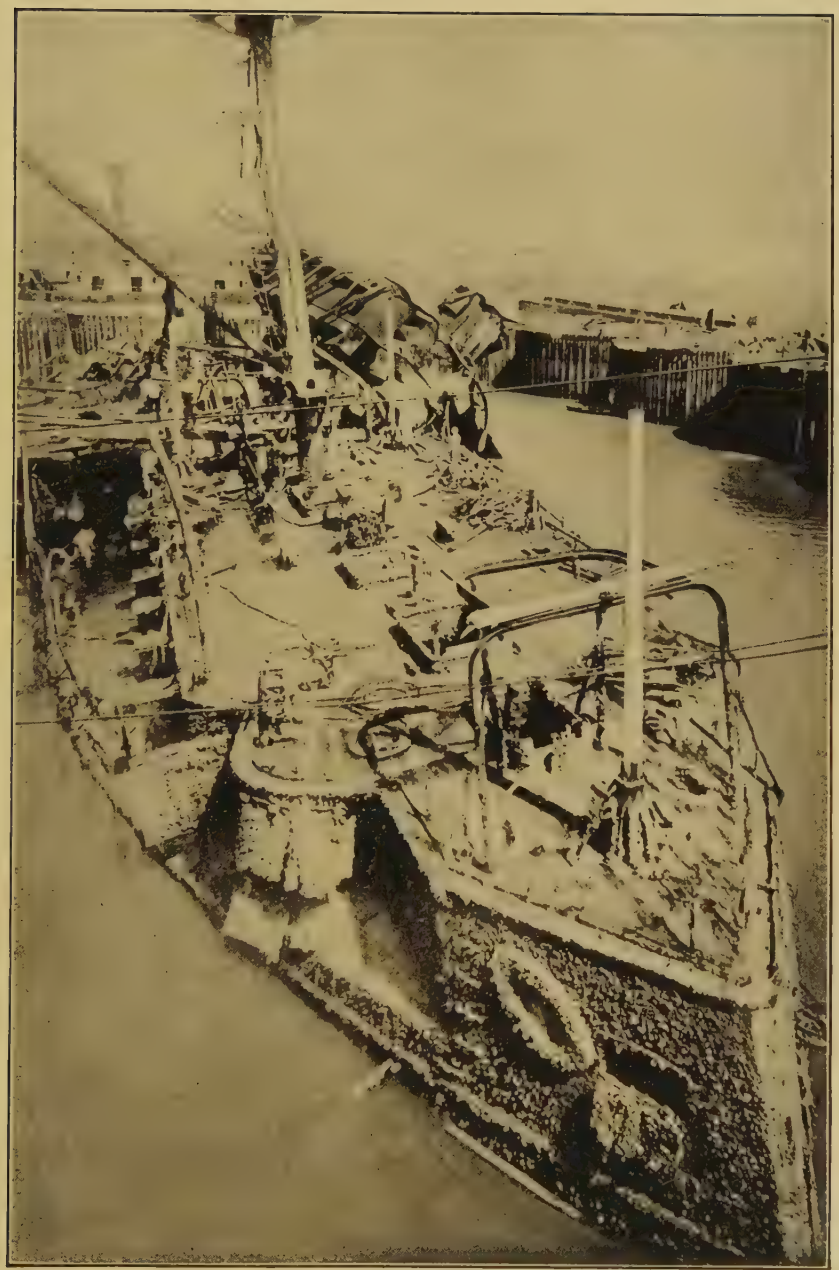
First. The Government has purchased and now has on hand sufficient silver bullion to permit the coinage of all the silver dollars necessary to redeem in such dollars the Treasury notes issued for the purchase of said silver bullion, and enough besides to coin, as gain or seigniorage, 55,156,681 additional standard silver dollars.

Second. There are outstanding and now in circulation Treasury notes issued in payment of the bullion purchased amounting to $152,951,280. These notes are legal tender in payment of all debts, public and private, except when otherwise expressly stipulated; they are receivable for customs, taxes, and all public dues; when held by banking associations they may be counted as part of their lawful reserves, and they are redeemed by the Government in gold at the option of the holders. These advantageous attributes were deliberately attached to these notes at the time of their issue. They are fully understood by our people to whom such notes have been distributed as currency, and have inspired confidence in their safety and value, and have undoubtedly thus induced their continued and contented use as money, instead of anxiety for their redemption.

Having referred to some incidents which I deem relevant to the subject, it remains for me to submit a specific statement of my objections to the bill now under consideration.

This bill consists of two sections, excluding one which merely appropriates a sum sufficient to carry the act into effect. The first section provides for the immediate coinage of the silver bullion in the Treasury which represents the so-called gain or seigniorage, or which would arise from the coinage of all the bullion on hand, which gain or seigniorage this section declares to be $55,156,681. It directs that the money so coined or the certificates issued thereon shall be used in the payment of public expenditures, and provides that if the needs of the Treasury demand it the Secretary of the Treasury may, in his discretion, issue silver certificates in excess of such coinage, not exceeding the amount of seigniorage in said section authorized to be coined.

The second section directs that as soon as possible after the coinage of this seigniorage the remainder of the bullion held by the Government shall be coined into legal-tender standard silver dollars, and that they shall be held in the Treasury for the redemption of the Treasury notes issued in the purchase of said bullion. It provides that as fast as the



THE WRECK OF THE MAINE, JUNE, 1911

THE RAISING OF THE *MAINE*

After considering proposals from many engineers, the Government decided to leave the task of recovering the *Maine* to the Engineers of the United States Army. Under their direction caissons were sunk in the harbor, as shown in the illustration, so as to enclose the wreck. The water within was then gradually pumped out. The danger was that the pressure of water on the outside of the caissons might destroy the protecting ring, and demolish all that had been constructed and wipe out the lives of the workmen. The plan, however, worked well, and enough has been seen of the hulk to prove that she was destroyed by two explosions, the first being that of some mine or projectile, and the second, that of the *Maine's* own magazine.

See the Encyclopedic Index article, "Maine, The," and also President McKinley's account of the catastrophe on page 6277.

bullion shall be coined for the redemption of said notes they shall not be reissued, but shall be canceled and destroyed in amounts equal to the coin held at any time in the Treasury derived from the coinage provided for, and that silver certificates shall be issued on such coin in the manner now provided by law. It is, however, especially declared in said section that the act shall not be construed to change existing laws relating to the legal-tender character or mode of redemption of the Treasury notes issued for the purchase of the silver bullion to be coined.

The entire bill is most unfortunately constructed. Nearly every sentence presents uncertainty and invites controversy as to its meaning and intent. The first section is especially faulty in this respect, and it is extremely doubtful whether its language will permit the consummation of its supposed purposes. I am led to believe that the promoters of the bill intended in this section to provide for the coinage of the bullion constituting the gain or seigniorage, as it is called, into standard silver dollars, and yet there is positively nothing in the section to prevent its coinage into any description of silver coins now authorized under any existing law.

I suppose this section was also intended, in case the needs of the Treasury called for money faster than the seigniorage bullion could actually be coined, to permit the issue of silver certificates in advance of such coinage; but its language would seem to permit the issuance of such certificates to double the amount of seigniorage as stated, one-half of which would not represent an ounce of silver in the Treasury. The debate upon this section in the Congress developed an earnest and positive difference of opinion as to its object and meaning. In any event, I am clear that the present perplexities and embarrassments of the Secretary of the Treasury ought not to be augmented by devolving upon him the execution of a law so uncertain and confused.

I am not willing, however, to rest my objection to this section solely on these grounds. In my judgment sound finance does not commend a further infusion of silver into our currency at this time unaccompanied by further adequate provision for the maintenance in our Treasury of a safe gold reserve.

Doubts also arise as to the meaning and construction of the second section of the bill. If the silver dollars therein directed to be coined are, as the section provides, to be held in the Treasury for the redemption of Treasury notes, it is suggested that, strictly speaking, certificates can not be issued on such coin "in the manner now provided by law," because these dollars are money held in the Treasury for the express purpose of redeeming Treasury notes on demand, which would ordinarily mean that they were set apart for the purpose of substituting them for these Treasury notes. They are not, therefore, held in such a way as to furnish a basis for certificates according to any provision of existing law.

If however, silver certificates can properly be issued upon these dollars,

there is nothing in the section to indicate the characteristics and functions of these certificates. If they were to be of the same character as silver certificates in circulation under existing laws, they would at best be receivable only for customs, taxes, and all public dues; and under the language of this section it is, to say the least, extremely doubtful whether the certificates it contemplates would be lawfully received even for such purposes.

Whatever else may be said of the uncertainties of expression in this bill, they certainly ought not to be found in legislation affecting subjects so important and far-reaching as our finances and currency. In stating other and more important reasons for my disapproval of this section I shall, however, assume that under its provisions the Treasury notes issued in payment for silver bullion will continue to be redeemed as heretofore, in silver or gold, at the option of the holders, and that if when they are presented for redemption or reach the Treasury in any other manner there are in the Treasury coined silver dollars equal in nominal value to such Treasury notes, then and in that case the notes will be destroyed and silver certificates to an equal amount be substituted.

I am convinced that this scheme is ill advised and dangerous. As an ultimate result of its operation Treasury notes, which are legal tender for all debts, public and private, and which are redeemable in gold or silver at the option of the holder, will be replaced by silver certificates, which, whatever may be their character and description, will have none of these qualities. In anticipation of this result and as an immediate effect the Treasury notes will naturally appreciate in value and desirability. The fact that gold can be realized upon them and the further fact that their destruction has been decreed when they reach the Treasury must tend to their withdrawal from general circulation to be immediately presented for gold redemption or to be hoarded for presentation at a more convenient season. The sequel of both operations will be a large addition to the silver currency in our circulation and a corresponding reduction of gold in the Treasury. The argument has been made that these things will not occur at once, because a long time must elapse before the coinage of anything but the seigniorage can be entered upon. If the physical effects of the execution of the second section of this bill are not to be realized until far in the future, this may furnish a strong reason why it should not be passed so much in advance; but the postponement of its actual operation can not prevent the fear and loss of confidence and nervous precaution which would immediately follow its passage and bring about its worst consequences. I regard this section of the bill as embodying a plan by which the Government will be obliged to pay out its scanty store of gold for no other purpose than to force an unnatural addition of silver money into the hands of our people. This is an exact reversal of the policy which safe finance dictates if we are to preserve parity between gold and silver and maintain sensible bimetallism.

We have now outstanding more than $338,000,000 in silver certificates issued under existing laws. They are serving the purpose of money usefully and without question. Our gold reserve, amounting to only a little more than $100,000,000, is directly charged with the redemption of $346,000,000 of United States notes. When it is proposed to inflate our silver currency it is a time for strengthening our gold reserve instead of depleting it. I can not conceive of a longer step toward silver monometallism than we take when we spend our gold to buy silver certificates for circulation, especially in view of the practical difficulties surrounding the replenishment of our gold.

This leads me to earnestly present the desirability of granting to the Secretary of the Treasury a better power than now exists to issue bonds to protect our gold reserve when for any reason it should be necessary. Our currency is in such a confused condition and our financial affairs are apt to assume at any time so critical a position that it seems to me such a course is dictated by ordinary prudence.

I am not insensible to the arguments in favor of coining the bullion seigniorage now in the Treasury, and I believe it could be done safely and with advantage if the Secretary of the Treasury had the power to issue bonds at a low rate of interest under authority in substitution of that now existing and better suited to the protection of the Treasury.

I hope a way will present itself in the near future for the adjustment of our monetary affairs in such a comprehensive and conservative manner as will accord to silver its proper place in our currency; but in the meantime I am extremely solicitous that whatever action we take on this subject may be such as to prevent loss and discouragement to our people at home and the destruction of confidence in our financial management abroad.

GROVER CLEVELAND.

EXECUTIVE MANSION, *August 7, 1894.*

To the House of Representatives:

I herewith return without approval House bill No. 2637, entitled "An act for the relief of Eugene Wells, late captain, Twelfth Infantry, and second lieutenant, First Artillery, United States Army."

This bill authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint the beneficiary therein named a second lieutenant of artillery in the Army of the United States, and it directs that when so appointed he shall be placed upon the retired list on account of disability, thus dispensing with the usual examination and finding by a retiring board and all other ordinary prerequisites of retirement.

Appointments to the Army under the authority of special legislation which names the proposed appointee, and the purpose of which is the immediate retirement of the appointee, are open to serious objections,

though I confess I have been persuaded through sympathy and sentiment on a number of occasions to approve such legislation. When, however, it is proposed to make the retirement compulsory and without reference to age or previous examination, a most objectionable feature is introduced.

The cases covered by the special enactments referred to are usually such as should, if worthy of any consideration, be provided for under general or private pension laws, leaving the retired list of the Army to serve the legitimate purpose for which it was established.

A recent discussion in the House of Representatives upon a bill similar to the one now before me drew from a member of the House Committee on Military Affairs the declaration that hundreds of such bills were before that committee and that there were fifty precedents for the passage of the particular one then under discussion.

It seems to me that this condition suggests such an encroachment upon the retired list of the Army as should lead to the virtual abandonment of the legislation referred to.

In addition to the objections to such legislation based upon sound policy and good administration, there are facts connected with the case covered by the bill now before me which, in my judgment, forbid its favorable consideration.

The beneficiary named in this bill entered the military service as first lieutenant in 1861. In September or October, 1870, then being a captain, a charge of conduct unbecoming an officer and a gentleman was preferred against him with a view to his trial on said charge before a court-martial.

The Articles of War provide that any officer convicted of this offense shall be dismissed the service.

The first specification under this charge alleged that Captain Wells did violently and without just cause or provocation assault First Lieutenant P. H. Breslin "by furiously striking and hitting him (Lieutenant Breslin) upon the head with a hickory stick, the butt end of a billiard cue, and did continue the assault (upon Lieutenant Breslin) until forced to desist therefrom by First Lieutenant Carl Veitenhimer, Fourth United States Infantry, thereby endangering the life of Lieutenant Breslin and disgracing himself (Captain Wells) as an officer of the United States Army."

The second specification alleged that Captain Wells "did become so much under the influence of intoxicating liquor as to behave himself in a scandalous manner by violently attacking the person of First Lieutenant P. H. Breslin, Fourth United States Infantry."

These offenses were charged to have been committed on the 3d day of September, 1870, at Fort Fetterman, in Wyoming Territory.

On the 15th day of July, 1870, a law was passed, among other things, to bring about a reduction of the Army, which law provided that the

President should before the 1st day of July, 1871, reduce the number of enlisted men in the Army to 30,000, and authorized him in his discretion to honorably discharge from the service of the United States officers of the Army who might apply therefor on or before January 1, 1871.

Before the trial by court-martial upon the charge then pending against him Captain Wells applied for his discharge under the provision of the law above recited, whereupon the charge against him was withdrawn and canceled, and on the 27th day of October, 1870, his application for a discharge was granted.

On the 6th day of July, 1875, he was again appointed to the Army as second lieutenant in the artillery, against which a remonstrance was made by certain officers in the Army.

In August, 1877, Second Lieutenant Wells was charged with being "drunk on duty, in violation of the thirty-eighth article of war."

He was also charged with "conduct to the prejudice of good order and military discipline."

The first specification under the latter charge alleged that the accused did "engage in an affray with First Lieutenant E. Van A. Andruss, First Artillery." The second specification under said charge alleged that the accused addressed his superior officer in a defiant and disrespectful manner and neglected and hesitated to promptly obey the order of said superior officer.

All these offenses were alleged to have been committed at Reading, Pa., on the 2d day of August, 1877.

Soon after these charges were preferred a court-martial was convened for the trial of the accused thereon. He pleaded not guilty to the charges and specifications, but was convicted of them all and sentenced "to be dismissed the service of the United States."

On the 6th day of October the proceedings, findings, and sentence of the court-martial were approved by the President, who ordered the sentence to be executed; and on the 13th day of October, 1877, in pursuance thereof, Lieutenant Eugene Wells was dismissed from the service.

Since that time repeated efforts have been made to vacate this judgment and restore the dismissed officer to the service. While a number of committees in Congress have made reports favorable to such action, at least two committees have recommended a denial of legislative relief. Both of these reports were made on behalf of House Committees on Military Affairs by distinguished soldiers, who, after patient examination and with an inclination to be not only just but generous to a fellow-soldier, were constrained to recommend a refusal of the application for restoration. One of these reports was made to the Forty-seventh and the other to the Forty-ninth Congress.

I am impressed with the belief that legislation of the kind proposed is of extremely doubtful expediency in any save very exceptional cases, and I am thoroughly convinced by the facts now before me that the

discipline and efficiency of our Army, as well as justice to its meritorious members, do not permit my approval on any ground of the bill herewith returned.

GROVER CLEVELAND.

EXECUTIVE MANSION, *August 11, 1894.*

To the Senate:

I hereby return without my approval Senate bill No. 1438, entitled "An act for the relief of Louis A. Yorke."

In the year 1886 the beneficiary named in this bill was a passed assistant paymaster in the Navy. In December of that year he appeared before a naval examining board convened pursuant to law for the purpose of passing upon his fitness to be promoted to the grade of paymaster.

The investigation of the board was conducted fairly and thoroughly. Much of the evidence relating to the candidate's moral fitness for promotion was documentary, and the examination touching his professional competency was of the usual character in such cases.

Considerable evidence was before the board showing quite a large amount of personal indebtedness owing by the candidate, and it appeared that in a few instances his accounts with the Navy Department had not been promptly settled. It was also shown that he had not at all times deposited the Government money intrusted to his care in the places required by law and the regulations of the Navy. In connection with his personal indebtedness incidents and circumstances were brought to light which certainly indicated that he entertained very lax ideas of honest dealing and fairness and which developed a disregard of the obligations and requirements of his position as an officer in the Navy. He was given abundant opportunity to meet and explain every damaging allegation and every adverse inference arising from the evidence, and his claim, not without foundation it appeared, that the charges against him were instigated by malice was doubtless given full weight.

The examining board on the evidence made the following decisions and findings:

The written examination of the candidate shows that he is deficient in his knowledge of the duties appertaining to the next higher grade; and the record evidence puts in question his moral fitness, and he has failed to establish both his professional and moral qualifications for promotion to the satisfaction of the board.

Therefore we hereby certify that Passed Assistant Paymaster Louis A. Yorke, United States Navy, has the mental fitness to perform efficiently all the duties, both at sea and on shore, of the next higher grade, but he has not the professional and moral qualifications required, and we do not recommend him for promotion.

After the board had thus disposed of the case and had adjourned it was, at the request of the candidate, reconvened by order of the Secretary of the Navy, who issued for its guidance the following directions, among others:

The board will inform Passed Assistant Paymaster Yorke of its findings and of the evidence upon which it finds him to be not morally qualified for promotion, and will

afford him a further hearing and an opportunity to present such evidence as he may desire as to his moral fitness for promotion.

The board met pursuant to such order on the 4th day of January, 1887, when the findings of the board were read to the candidate for promotion, and also the evidence upon which said findings were based, and he was informed that the board would accord him a further hearing as to his moral fitness for promotion and would afford him a reasonable time in which to submit his case. Thereupon he requested the board to allow him until the 26th day of January to produce the necessary witnesses in his behalf. This request was granted, but on the day appointed, upon his representation that he was then unable to submit his defense, he was upon his request allowed another day for that purpose.

In availing himself of the opportunity thus afforded him to present evidence in defense or explanation of the matters charged against him he examined no witnesses and contented himself with presenting his own statement, containing little more than a reiteration of statements he had already made before the board at previous hearings, supplemented by slight documentary evidence which established no new facts in his favor.

The board thereupon reviewed all the evidence and proofs which had been submitted during the entire examination, and after full consideration decided that there was nothing in the additional evidence produced to warrant a modification of the original finding, and the board therefore again certified and decided that the candidate had not the moral qualifications to perform efficiently the duties of the grade to which he sought promotion.

The Secretary of the Navy transmitted the record, proceedings, and findings of said examining board to the President, with a recommendation that the same be approved and that the candidate be discharged from the Navy with one year's pay, pursuant to a statute passed on the 5th day of August, 1882, directing a discharge from the service in such cases.

Thereupon, and on the 19th day of February, 1887, the record, proceedings, and findings of said board were approved by the President, and Passed Assistant Paymaster Yorke was ordered discharged from the naval service with one year's pay.

The bill now under consideration provides that the action of the examining board above recited "be set aside and declared null and void." It also authorizes the President "to appoint the beneficiary to the office to which he would have been promoted but for said action and to retire him in that grade as of the date he was wholly retired."

The authority attempted by the bill to be given to the President to thus make an appointment to the office of paymaster in the Navy without the interposition of the Senate appears to be inadmissible under that clause of the Constitution which only permits the President to appoint certain officers "by and with the advice and consent of the Senate."

The bill provides for the immediate retirement of the beneficiary. He is now but 47 years old, thus lacking fifteen years of the time when he would be entitled to retirement on account of age. There is no suggestion that he is physically incapacitated. On the contrary, when he was examined for promotion a medical board certified that he was physically qualified to perform all his duties at sea, and the candidate himself not only certified to the same thing, but further declared that he was "free from all bodily ailments." If this condition continues and if he should be restored to the Navy at all, he should be sent to duty on the active list instead of being retired. On the facts as presented he would seem to be out of place among those who, though still compensated by the Government, have been on account of age, long and honorable service, or disabilities incurred in the discharge of duty relieved from further activity.

A careful investigation of the facts submitted to the examining board and a consideration of all the statements made on behalf of the beneficiary named in the bill utterly fail, in my opinion, to justify the impeachment of the findings and determination of the board.

I have no doubt malicious feeling growing out of domestic difficulties entered into the affair and gave impetus to the search after inculpating evidence, but facts were nevertheless established beyond any reasonable doubt which abundantly uphold these findings.

I feel obliged to disapprove the bill herewith returned because I believe the power to appoint a paymaster in the Navy ought not, under the Constitution, be conferred upon the President alone; because if the beneficiary were restored to the Navy there would be no justice or propriety in placing him upon the retired list, and because upon the merits of the case I am of the opinion the judgment of the examining board ought not to be reversed.

GROVER CLEVELAND.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas an act of Congress entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris under the treaty between the United States and Great Britain concluded at Washington February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals," was approved April 6, 1894, and reads as follows:

Whereas the following articles of the award of the Tribunal of Arbitration constituted under the treaty concluded at Washington the 29th of February, 1892, between the United States of America and Her Majesty the Queen of the United Kingdom of

Great Britain and Ireland were delivered to the agents of the respective Governments on the 15th day of August, 1893:

"ARTICLE 1. The Governments of the United States and Great Britain shall forbid their citizens and subjects, respectively, to kill, capture, or pursue at any time and in any manner whatever the animals commonly called fur seals within a zone of 60 miles around the Pribilof Islands, inclusive of the territorial waters.

"The miles mentioned in the preceding paragraph are geographical miles, of 60 to a degree of latitude.

"ART. 2. The two Governments shall forbid their citizens and subjects, respectively, to kill, capture, or pursue in any manner whatever during the season extending each year from the 1st of May to the 31st of July, both inclusive, the fur seals on the high sea in the part of the Pacific Ocean, inclusive of the Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and eastward of the one hundred and eightieth degree of longitude from Greenwich till it strikes the water boundary described in Article I of the treaty of 1867 between the United States and Russia, and following that line up to Bering Strait.

"ART. 3. During the period of time and in the waters in which the fur-seal fishing is allowed only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

"ART. 4. Each sailing vessel authorized to fish for fur seals must be provided with a special license issued for that purpose by its Government, and shall be required to carry a distinguishing flag to be prescribed by its Government.

"ART. 5. The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of each fishing season.

"ART. 6. The use of nets, firearms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Bering Sea during the season when it may be lawfully carried on.

"ART. 7. The two Governments shall take measures to control the fitness of the men authorized to engage in fur-seal fishing. These men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

"ART. 8. The regulations contained in the preceding articles shall not apply to Indians dwelling on the coast of the territory of the United States or of Great Britain and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connection with other vessels, and propelled wholly by paddles, oars, or sails and manned by not more than five persons each in the way hitherto practiced by the Indians, provided such Indians are not in the employment of other persons, and provided that when so hunting in canoes or undecked boats they shall not hunt fur seals outside of territorial waters under contract for the delivery of the skins to any person.

"This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Bering Sea or the waters of the Aleutian passes.

"Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

"ART. 9. The concurrent regulations hereby determined with a view to the protection and preservation of the fur seals shall remain in force until they have been in whole or in part abolished or modified by common agreement between the Governments of the United States and of Great Britain.

"The said concurrent regulations shall be submitted every five years to a new

examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof."

Now, therefore, be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen of the United States or person owing the duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue at any time or in any manner whatever outside of territorial waters any fur seal in the waters surrounding the Pribilof Islands within a zone of 60 geographical miles (60 to a degree of latitude) around said islands, exclusive of the territorial waters.

SEC. 2. That no citizen of the United States or person above described in section 1 of this act, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue in any manner whatever during the season extending from the 1st day of May to the 31st day of July, both inclusive, in each year any fur seal on the high seas outside of the zone mentioned in section 1, and in that part of the Pacific Ocean, including Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and to the east of the one hundred and eightieth degree of longitude from Greenwich till it strikes the water boundary described in Article I of the treaty of 1867 between the United States and Russia, and following that line up to Bering Strait.

SEC. 3. No citizen of the United States or person above described in the first section of this act shall during the period and in the waters in which by section 2 of this act the killing of fur seals is not prohibited use or employ any vessel, nor shall any vessel of the United States be used or employed, in carrying on or taking part in fur-seal fishing operations, other than a sailing vessel propelled by sails exclusively and such canoes or undecked boats propelled by paddles, oars, or sails as may belong to and be used in connection with such sailing vessels; nor shall any sailing vessel carry on or take part in such operations without a special license obtained from the Government for that purpose and without carrying a distinctive flag prescribed by the Government for the same purpose.

SEC. 4. That every master of a vessel licensed under this act to engage in fur-seal fishing operations shall accurately enter in his official log book the date and place of every such operation, and also the number and sex of the seals captured each day; and on coming into port and before landing cargo the master shall verify on oath such official log book as containing a full and true statement of the number and character of his fur-seal fishing operations, including the number and sex of seals captured; and for any false statement willfully made by a person so licensed by the United States in this behalf he shall be subject to the penalties of perjury, and any seal skins found in excess of the statement in the official log book shall be forfeited to the United States.

SEC. 5. That no person or vessel engaging in fur-seal fishing operations under this act shall use or employ in such operations any net, firearm, air gun, or explosive: *Provided, however*, That this prohibition shall not apply to the use of shotguns in such operations outside of Bering Sea during the season when the killing of fur seals is not there prohibited by this act.

SEC. 6. That the foregoing sections of this act shall not apply to Indians dwelling on the coast of the United States and taking fur seals in canoes or undecked boats propelled wholly by paddles, oars, or sails, and not transported by or used in connection with other vessels or manned by more than five persons, in the manner heretofore practiced by the said Indians: *Provided, however*, That the exception made in this section shall not apply to Indians in the employment of other persons, or who shall kill, capture, or pursue fur seals outside of territorial waters under contract to deliver the skins to other persons, nor to the waters of Bering Sea or of the passes between the Aleutian Islands.

SEC. 7. That the President shall have power to make regulations respecting the special license and the distinctive flag mentioned in this act, and regulations otherwise suitable to secure the due execution of the provisions of this act, and from time to time to add to, modify, amend, or revoke such regulations as in his judgment may seem expedient.

SEC. 8. That, except in the case of a master making a false statement under oath in violation of the provisions of the fourth section of this act, every person guilty of a violation of the provisions of this act or of the regulations made thereunder shall for each offense be fined not less than $200 or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo at any time used or employed in violation of this act or of the regulations made thereunder shall be forfeited to the United States.

SEC. 9. That any violation of this act or the regulations made thereunder may be prosecuted either in the district court of Alaska or in any district court of the United States in California, Oregon, or Washington.

SEC. 10. That if any unlicensed vessel of the United States shall be found within the waters to which this act applies, and at a time when the killing of fur seals is by this act there prohibited, having on board seal skins or bodies of seals or apparatus or implements suitable for killing or taking seals, or if any licensed vessel shall be found in the waters to which this act applies having on board apparatus or implements suitable for taking seals, but forbidden then and there to be used, it shall be presumed that the vessel in the one case and the apparatus or implements in the other was or were used in violation of this act until it is otherwise sufficiently proved.

SEC. 11. That it shall be the duty of the President to cause a sufficient naval force to cruise in the waters to which this act is applicable to enforce its provisions; and it shall be the duty of the commanding officer of any vessel belonging to the naval or revenue service of the United States, when so instructed by the President, to seize and arrest all vessels of the United States found by him to be engaged, used, or employed in the waters last aforesaid in violation of any of the prohibitions of this act or of any regulations made thereunder, and to take the same, with all persons on board thereof, to the most convenient port in any district of the United States mentioned in this act, there to be dealt with according to law.

SEC. 12. That any vessel or citizen of the United States or person described in the first section of this act offending against the prohibitions of this act or the regulations thereunder may be seized and detained by the naval or other duly commissioned officers of Her Majesty the Queen of Great Britain, but when so seized and detained they shall be delivered as soon as practicable, with any witnesses and proofs on board, to any naval or revenue officer or other authorities of the United States, whose courts alone shall have jurisdiction to try the offense and impose the penalties for the same: *Provided, however*, That British officers shall arrest and detain vessels and persons as in this section specified only after, by appropriate legislation, Great Britain shall have authorized officers of the United States duly commissioned and instructed by the President to that end to arrest, detain, and deliver to the authorities of Great Britain vessels and subjects of that Government offending against any statutes or regulations of Great Britain enacted or made to enforce the award of the treaty mentioned in the title of this act.

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said act specially to be proclaimed, to the end that its provisions may be known and observed; and I hereby proclaim that every person guilty of a violation of the provisions of said act will be arrested and punished as therein provided, and

all vessels so employed, their tackle, apparel, furniture, and cargo, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 9th day of April, A. D. 1894, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory proof has been given to me that no light-house and light dues, tonnage dues, beacon and buoy dues, or other equivalent taxes of any kind are imposed upon vessels of the United States in the ports of the island of Grenada, one of the British West India Islands:

Now, therefore, I, Grover Cleveland, President of the United States of America, by virtue of the authority vested in me by section 11 of the act of Congress entitled "An act to abolish certain fees for official services to American vessels and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," approved June 19, 1886, and in virtue of the further act amendatory thereof, entitled "An act to amend the laws relating to navigation, and for other purposes," approved April 4, 1888, do hereby declare and proclaim that from and after the date of this my proclamation shall be suspended the collection of the whole of the tonnage duty which is imposed by said section 11 of the act approved June 19, 1886, upon vessels entered in the ports of the United States from any of the ports of the island of Grenada.

Provided, That there shall be excluded from the benefits of the suspension hereby declared and proclaimed the vessels of any foreign country in whose ports the fees or dues of any kind or nature imposed on vessels of the United States or the import or export duties on their cargoes are in excess of the fees, dues, or duties imposed on the vessels of such country or on the cargoes of such vessels; but this proviso shall not be held to be inconsistent with the special regulation by foreign countries of duties and other charges on their own vessels and the cargoes thereof engaged in their coasting trade, or with the existence between such countries and other states of reciprocal stipulations founded on special conditions and equivalents, and thus not within the treatment of American vessels under the most-favored-nation clause in treaties between the United States and such countries.

And the suspension hereby declared and proclaimed shall continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued in the said ports of the island of Grenada, and no longer.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 2d day of May, A. D. 1894, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, by reason of unlawful obstructions, combinations, and assemblages of persons, it has become impracticable, in the judgment of the President, to enforce by the ordinary course of judicial proceedings the laws of the United States within the State of Illinois, and especially in the city of Chicago within said State; and

Whereas, for the purpose of enforcing the faithful execution of the laws of the United States and protecting its property and removing obstructions to the United States mails in the State and city aforesaid, the President has employed a part of the military forces of the United States:

Now, therefore, I, Grover Cleveland, President of the United States, do hereby admonish all good citizens and all persons who may be or may come within the city and State aforesaid against aiding, countenancing, encouraging, or taking any part in such unlawful obstructions, combinations, and assemblages; and I hereby warn all persons engaged in or in any way connected with such unlawful obstructions, combinations, and assemblages to disperse and retire peaceably to their respective abodes on or before 12 o'clock noon on the 9th day of July instant.

Those who disregard this warning and persist in taking part with a riotous mob in forcibly resisting and obstructing the execution of the laws of the United States or interfering with the functions of the Government or destroying or attempting to destroy the property belonging to the United States or under its protection can not be regarded otherwise than as public enemies.

Troops employed against such a riotous mob will act with all the moderation and forbearance consistent with the accomplishment of the desired

end, but the stern necessities that confront them will not with certainty permit discrimination between guilty participants and those who are mingled with them from curiosity and without criminal intent. The only safe course, therefore, for those not actually unlawfully participating is to abide at their homes, or at least not to be found in the neighborhood of riotous assemblages.

While there will be no hesitation or vacillation in the decisive treatment of the guilty, this warning is especially intended to protect and save the innocent.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be hereto affixed.

[SEAL.] Done at the city of Washington, this 8th day of July, A. D. 1894, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, by reason of unlawful obstructions, combinations, and assemblages of persons, it has become impracticable, in the judgment of the President, to enforce by the ordinary course of judicial proceedings the laws of the United States at certain points and places within the States of North Dakota, Montana, Idaho, Washington, Wyoming, Colorado, and California and the Territories of Utah and New Mexico, and especially along the lines of such railways traversing said States and Territories as are military roads and post routes and are engaged in interstate commerce and in carrying United States mails; and

Whereas, for the purpose of enforcing the faithful execution of the laws of the United States and protecting property belonging to the United States or under its protection, and of preventing obstructions of the United States mails and of commerce between the States and Territories, and of securing to the United States the right guaranteed by law to the use of such roads for postal, military, naval, and other Government service, the President has employed a part of the military forces of the United States:

Now, therefore, I, Grover Cleveland, President of the United States, do hereby command all persons engaged in or in any way connected with such unlawful obstructions, combinations, and assemblages to disperse and retire peaceably to their respective abodes on or before 3 o'clock in the afternoon on the 10th day of July instant.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be hereto affixed.

[SEAL.] Done at the city of Washington, this 9th day of July, A. D. 1894, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an act of Congress entitled "An act to adopt regulations for preventing collisions at sea" was approved August 19, 1890, the said act being in the following words:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following regulations for preventing collisions at sea shall be followed by all public and private vessels of the United States upon the high seas and in all waters connected therewith navigable by seagoing vessels:

PRELIMINARY.

In the following rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The words "steam vessel" shall include any vessel propelled by machinery.

A vessel is "under way" within the meaning of these rules when she is not at anchor or made fast to the shore or aground.

RULES CONCERNING LIGHTS, ETC.

The word "visible" in these rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

ARTICLE 1. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

ART. 2. A steam vessel when under way shall carry—

(*a*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel—namely, from right ahead to 2 points abaft the beam on either side—and of such a character as to be visible at a distance of at least 5 miles.

(*b*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(*c*) On the port side a red light so constructed as to show an unbroken light over

an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(*d*) The said green and red side lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(*e*) A steam vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

ART. 3. A steam vessel when towing another vessel shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such light if the length of the tow measuring from the stern of the towing vessel to the stern of the last vessel towed exceeds 600 feet. Each of these lights shall be of the same construction and character and shall be carried in the same position as the white light mentioned in article 2 (*a*), excepting the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

ART. 4. (*a*) A vessel which from any accident is not under command shall carry at the same height as a white light mentioned in article 2 (*a*), where they can best be seen, and if a steam vessel in lieu of that light, two red lights in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all around the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, two black balls or shapes each 2 feet in diameter.

(*b*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in article 2 (*a*), and if a steam vessel in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red and the middle light shall be white, and they shall be of such a character as to be visible all around the horizon at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in color and the middle one diamond in shape and white.

(*c*) The vessels referred to in this article, when not making way through the water, shall not carry the side lights, but when making way shall carry them.

(*d*) The lights and shapes required to be shown by this article are to be taken by other vessels as signals that the vessel showing them is not under command and can not, therefore, get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in article 31.

ART. 5. A sailing vessel under way and any vessel being towed shall carry the same lights as are prescribed by article 2 for a steam vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

ART. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side lights can not be fixed, these lights shall be kept at hand, lighted and ready for use, and shall on the approach of or to other vessels be exhibited on their respective sides, in sufficient time to prevent collision, in such manner as to make them most visible and so that the green light shall not be seen on the

port side nor the red light on the starboard side, nor, if practicable, more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy the lanterns containing them shall each be painted outside with the color of the light they respectively contain and shall be provided with proper screens.

ART. 7. Steam vessels of less than 40 and vessels under oars or sails of less than 20 tons gross tonnage, respectively, when under way shall not be obliged to carry the lights mentioned in article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:

First. Steam vessels of less than 40 tons shall carry—

(*a*) In the fore part of the vessel or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in article 2 (*a*) and of such a character as to be visible at a distance of at least 2 miles.

(*b*) Green and red side lights constructed and fixed as prescribed in article 2 (*b*) and (*c*) and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lanterns shall be carried not less than 3 feet below the white light.

Second. Small steamboats, such as are carried by seagoing vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

Third. Vessels under oars or sails of less than 20 tons shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which on the approach of or to other vessels shall be exhibited, in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The vessels referred to in this article shall not be obliged to carry the lights prescribed by article 4 (*a*) and article 11, last paragraph.

ART. 8. Pilot vessels when engaged on their station on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all around the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

On the near approach of or to other vessels they shall have their side lights lighted, ready for use, and shall flash or show them at short intervals to indicate the direction in which they are heading; but the green light shall not be shown on the port side nor the red light on the starboard side.

A pilot vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the colored lights above mentioned, have at hand, ready for use, a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot vessels when not engaged on their station on pilotage duty shall carry lights similar to those of other vessels of their tonnage.

ART. 9. Fishing vessels and fishing boats when under way and when not required by this article to carry or show the lights therein named shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a*) Vessels and boats when fishing with drift nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them measured in a line with the keel shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all around the horizon and to be visible at a distance of not less than 3 miles.

(*b*) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

First. If steam vessels, shall carry in the same position as the white light mentioned in article 2 (*a*) a tricolored lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port sides, respectively, and not less than 6 nor more than 12 feet below the tricolored lantern, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light all around the horizon.

Second. If sailing vessels of 7 tons gross tonnage and upward, shall carry a white light in a lantern so constructed as to show a clear, uniform, and unbroken light all around the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least 30 seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea the vessels referred to in subdivision (*b*) 2 may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision (*b*) 1 and 2 shall be visible at a distance of at least 2 miles.

Third. If sailing vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision (*b*) 2 of this article, but if they do not carry such light they shall have at hand, ready for use, a lantern showing a bright white light, which shall on the approach of or to other vessels be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as prescribed in subdivision (*b*) 2, or in lieu thereof a flare-up light.

(*c*) Vessels and boats when line fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift nets.

(*d*) Fishing vessels and fishing boats may at any time use a flare-up light in addition to the lights which they are by this article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of dragnet shall be shown at the after part of the vessel, excepting that if the vessel is hanging by the stern to her fishing gear they shall be exhibited from the bow.

(*e*) Every fishing vessel and every boat when at anchor shall exhibit a white light visible all around the horizon at a distance of at least 1 mile.

(*f*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog signal prescribed for a vessel at anchor, respectively. (See article 15 (*d*), (*e*), and last paragraph.)

(*g*) In fog, mist, falling snow, or heavy rain storms drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of dragnet, and vessels line fishing with their lines out shall, if of 20 tons gross tonnage or upward, respectively, at intervals of not more than one minute make a blast—if steam vessels, with the whistle or siren, and if sailing vessels, with the fog horn—each blast to be followed by ringing the bell.

(*h*) Sailing vessels or boats fishing with nets or lines or trawls when under way shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal where it can best be seen.

The vessels referred to in this article shall not be obliged to carry the lights prescribed by article 4 (*a*) and article 11, last paragraph.

ART. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that

it shall throw an unbroken light over an arc of the horizon of 12 points of the compass—namely, for 6 points from right aft on each side of the vessel—so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side lights.

ART. 11. A vessel under 150 feet in length when at anchor shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upward in length when at anchor shall carry in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by article 4 (*a*).

ART. 12. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these rules required to carry, show a flare-up light or use any detonating signal that can not be mistaken for a distress signal.

ART. 13. Nothing in these rules shall interfere with the operation of any special rules made by the government of any nation with respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners which have been authorized by their respective governments and duly registered and published.

ART. 14. A steam vessel proceeding under sail only, but having her funnel up, shall carry in daytime forward, where it can best be seen, one black ball or shape 2 feet in diameter.

SOUND SIGNALS FOR FOG, ETC.

ART. 15. All signals prescribed by this article for vessels under way shall be given—

1. By "steam vessels," on the whistle or siren.

2. By "sailing vessels" and "vessels towed," on the fog horn.

The words "prolonged blast" used in this article shall mean a blast of from four to six seconds' duration.

A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn, to be sounded by mechanical means, and also with an efficient bell. (In all cases where the rules require a bell to be used a drum may be substituted on board Turkish vessels or a gong where such articles are used on board small seagoing vessels.) A sailing vessel of 20 tons gross tonnage or upward shall be provided with a similar fog horn and bell.

In fog, mist, falling snow, or heavy rain storms, whether by day or night, the signals described in this article shall be used as follows, viz:

(*a*) A steam vessel having way upon her shall sound at intervals of not more than two minutes a prolonged blast.

(*b*) A steam vessel under way, but stopped and having no way upon her, shall sound at intervals of not more than two minutes two prolonged blasts with an interval of about one second between them.

(*c*) A sailing vessel under way shall sound at intervals of not more than one minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(*d*) A vessel when at anchor shall at intervals of not more than one minute ring the bell rapidly for about five seconds.

(*e*) A vessel at anchor at sea, when not in ordinary anchorage ground and when in

such a position as to be an obstruction to vessels under way, shall sound, if a steam vessel, at intervals of not more than two minutes, two prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing vessel, at intervals of not more than one minute two blasts with her fog horn, followed by ringing her bell.

(*f*) A vessel when towing shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this article, at intervals of not more than two minutes sound three blasts in succession, namely, one prolonged blast followed by two short blasts. A vessel towed may give this signal, and she shall not give any other.

(*g*) A steam vessel wishing to indicate to another "The way is off my vessel; you may feel your way past me" may sound three blasts in succession, namely, short, long, short, with intervals of about one second between them.

(*h*) A vessel employed in laying or picking up a telegraph cable shall on hearing the fog signal of an approaching vessel sound in answer three prolonged blasts in succession.

(*i*) A vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to maneuver as required by these rules shall on hearing the fog signal of an approaching vessel sound in answer four short blasts in succession.

Sailing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not they shall make some other efficient sound signal at intervals of not more than one minute.

Speed of Ships to be Moderate in Fog, etc.

Art. 16. Every vessel shall in a fog, mist, falling snow, or heavy rain storm go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

preliminary.—risk of collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Art. 17. When two sailing vessels are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows, namely:

(*a*) A vessel which is running free shall keep out of the way of a vessel which is closehauled.

(*b*) A vessel which is closehauled on the port tack shall keep out of the way of a vessel which is closehauled on the starboard tack.

(*c*) When both are running free with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d*) When both are running free with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to leeward.

(*e*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Art. 18. When two steam vessels are meeting end on or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This article only applies to cases where vessels are meeting end on or nearly end on in such a manner as to involve risk of collision, and does not apply to two vessels which must if both keep on their respective courses pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on or nearly end on to the other; in other words, to cases in which by day each vessel sees

the masts of the other in a line or nearly in a line with her own, and by night to cases in which each vessel is in such a position as to see both the side lights of the other.

It does not apply by day to cases in which a vessel sees another ahead crossing her own course, or by night to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

ART. 19. When two steam vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

ART. 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

ART. 21. Where by any of these rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

ART. 22. Every vessel which is directed by these rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

ART. 23. Every steam vessel which is directed by these rules to keep out of the way of another vessel shall on approaching her, if necessary, slacken her speed or stop or reverse.

ART. 24. Notwithstanding anything contained in these rules every vessel overtaking any other shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than 2 points abaft her beam—that is, in such a position with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side lights—shall be deemed to be an overtaking vessel, and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel can not always know with certainty whether she is forward of or abaft this direction from the other vessel, she should if in doubt assume that she is an overtaking vessel and keep out of the way.

ART. 25. In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

ART. 26. Sailing vessels under way shall keep out of the way of sailing vessels or boats fishing with nets or lines or trawls. This rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels or boats.

ART. 27. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

SOUND SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER.

ART. 28. The words "short blast" used in this article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam vessel under way, in taking any course authorized or required by these rules, shall indicate that course by the following signals on her whistle or siren, namely:

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going at full speed astern."

NO VESSEL UNDER ANY CIRCUMSTANCES TO NEGLECT PROPER PRECAUTIONS.

ART. 29. Nothing in these rules shall exonerate any vessel or the owner or master or crew thereof from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case.

RESERVATION OF RULES FOR HARBORS AND INLAND NAVIGATION.

ART. 30. Nothing in these rules shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbor, river, or inland waters.

DISTRESS SIGNALS.

ART. 31. When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely:

In the daytime—

First. A gun fired at intervals of about a minute.

Second. The international code signal of distress, indicated by N C.

Third. The distance signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball.

Fourth. Rockets or shells as prescribed below for use at night.

Fifth. A continuous sounding with any fog-signal apparatus.

At night—

First. A gun fired at intervals of about a minute.

Second. Flames on the vessel (as from a burning tar barrel, oil barrel, etc.).

Third. Rockets or shells bursting in the air with a loud report and throwing stars of any color or description, fired one at a time at short intervals.

Fourth. A continuous sounding with any fog-signal apparatus.

SEC. 2. That all laws or parts of laws inconsistent with the foregoing regulations for preventing collisions at sea for the navigation of all public and private vessels of the United States upon the high seas and in all waters connected therewith navigable by seagoing vessels are hereby repealed.

SEC. 3. That this act shall take effect at a time to be fixed by the President by proclamation issued for that purpose.

And whereas an act of Congress entitled "An act to amend an act approved August 19, 1890, entitled 'An act to adopt regulations for preventing collisions at sea,'" was approved May 28, 1894, the said act being in the following words:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 7 of the act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea," be amended to read as follows:

"ART. 7. Steam vessels of less than 40 and vessels under oars or sails of less than 20 tons gross tonnage, respectively, and rowing boats, when under way, shall not be required to carry the lights mentioned in article 2 (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:

"First. Steam vessels of less than 40 tons shall carry—

"(*a*) In the fore part of the vessel or on or in front of the funnel where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in article 2 (*a*) and of such a character as to be visible at a distance of at least 2 miles.

"(*b*) Green and red side lights constructed and fixed as prescribed in article 2 (*b*) and (*c*) and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lanterns shall be carried not less than 3 feet below the white light.

"Second. Small steamboats, such as are carried by seagoing vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision 1 (*b*).

"Third. Vessels under oars or sails of less than 20 tons shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which on the approach of or to other vessels shall be exhibited, in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

"Fourth. Rowing boats, whether under oars or sail, shall have ready at hand a lantern showing a white light, which shall be temporarily exhibited in sufficient time to prevent collision.

"The vessels referred to in this article shall not be obliged to carry the lights prescribed by article 4 (*a*) and article 11, last paragraph."

That article 9 be hereby repealed.

That article 21 be amended to read as follows:

"ART. 21. Where by any of these rules one of two vessels is to keep out of the way the other shall keep her course and speed.

"NOTE.—When, in consequence of thick weather or other causes, such vessel finds herself so close that collision can not be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision." (See articles 27 and 29.)

That article 31 be amended to read as follows:

"DISTRESS SIGNALS.

"ART. 31. When a vessel is in distress and requires assistance from other vessels or from the shore the following shall be the signals to be used or displayed by her, either together or separately, namely:

"In the daytime—

"First. A gun or other explosive signal fired at intervals of about a minute.

"Second. The international code signal of distress indicated by N C.

"Third. The distance signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball.

"Fourth. A continuous sounding with any fog-signal apparatus.

"At night—

"First. A gun or other explosive signal fired at intervals of about a minute.

"Second. Flames on the vessel (as from a burning tar barrel, oil barrel, etc.).

"Third. Rockets or shells throwing stars of any color or description, fired one at a time at short intervals.

"Fourth. A continuous sounding with any fog-signal apparatus."

And whereas it is provided by section 3 of the act approved August 19, 1890, that it shall take effect at a time to be fixed by the President by proclamation issued for that purpose:

Now, therefore, I, Grover Cleveland, President of the United States of America, do hereby, in virtue of the authority vested in me by section 3 of the act aforesaid, proclaim the 1st day of March, 1895, as the day on which the said act approved August 19, 1890, as amended by the act approved May 28, 1894, shall take effect.

In testimony whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

[SEAL.] Done at the city of Washington, this 13th day of July, 1894, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas Congress by a statute approved March 22, 1882, and by statutes in furtherance and amendment thereof defined the crimes of bigamy, polygamy, and unlawful cohabitation in the Territories and other places within the exclusive jurisdiction of the United States and prescribed a penalty for such crimes; and

Whereas on or about the 6th day of October, 1890, the Church of the Latter-day Saints, commonly known as the Mormon Church, through its president issued a manifesto proclaiming the purpose of said church no longer to sanction the practice of polygamous marriages and calling upon all members and adherents of said church to obey the laws of the United States in reference to said subject-matter; and

Whereas on the 4th day of January, A. D. 1893,* Benjamin Harrison, then President of the United States, did declare and grant a full pardon and amnesty to certain offenders under said acts upon condition of future obedience to their requirements, as is fully set forth in said proclamation of amnesty and pardon; and

Whereas upon the evidence now furnished me I am satisfied that the members and adherents of said church generally abstain from plural marriages and polygamous cohabitation and are now living in obedience to the laws, and that the time has now arrived when the interests of public justice and morality will be promoted by the granting of amnesty and pardon to all such offenders as have complied with the conditions of said proclamation, including such of said offenders as have been convicted under the provisions of said act:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the powers in me vested, do hereby declare and grant a full amnesty and pardon to all persons who have in violation of said acts committed either of the offenses of polygamy, bigamy, adultery, or unlawful cohabitation under the color of polygamous or plural marriage, or who, having been convicted of violations of said acts, are now suffering deprivations of civil rights in consequence of the same, excepting all persons who have not complied with the conditions contained in said executive proclamation of January 4, 1893.

* See pp. 5803–5804.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of September, A. D. 1894, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The American people should gratefully render thanksgiving and praise to the Supreme Ruler of the Universe, who has watched over them with kindness and fostering care during the year that has passed; they should also with humility and faith supplicate the Father of All Mercies for continued blessings according to their needs, and they should by deeds of charity seek the favor of the Giver of Every Good and Perfect Gift.

Therefore, I, Grover Cleveland, President of the United States, do hereby appoint and set apart Thursday, the 29th day of November instant, as a day of thanksgiving and prayer to be kept and observed by all the people of the land.

On that day let our ordinary work and business be suspended and let us meet in our accustomed places of worship and give thanks to Almighty God for our preservation as a nation, for our immunity from disease and pestilence, for the harvests that have rewarded our husbandry, for a renewal of national prosperity, and for every advance in virtue and intelligence that has marked our growth as a people.

And with our thanksgiving let us pray that these blessings may be multiplied unto us, that our national conscience may be quickened to a better recognition of the power and goodness of God, and that in our national life we may clearer see and closer follow the path of righteousness.

And in our places of worship and praise, as well as in the happy reunions of kindred and friends on that day, let us invoke divine approval by generously remembering the poor and needy. Surely He who has given us comfort and plenty will look upon our relief of the destitute and our ministrations of charity as the work of hearts truly grateful and as proofs of the sincerity of our thanksgiving.

Witness my hand and the seal of the United States, which I have caused to be hereto affixed.

[SEAL.] Done at the city of Washington on the 1st day of November, A. D. 1894, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

A PROCLAMATION.

Whereas by the sixteenth section of the act of Congress approved March 2, 1889 (25 U. S. Statutes at Large, p. 888), the agreements entered into between the Chicago, Milwaukee and St. Paul Railway Company and the Sioux Indians for the right of way and occupation of certain lands for station purposes in that portion of the Sioux Reservation, in the State of South Dakota, relinquished by said Indians were ratified upon the condition that said railway company shall within three years after the said act takes effect construct, complete, and put into operation its line of road as therein provided for, due location of which was to be made within nine months after said act took effect; and in case of failure to so construct said road "the lands granted for right of way, station grounds, or other railway purposes as in this act provided shall without any further act or ceremony be declared by proclamation of the President forfeited, and shall without entry or further action on the part of the United States revert to the United States and be subject to entry under the other provisions of this act;" and

Whereas under previous proclamation* said act took effect on February 10, 1890, and more than three years have elapsed and no construction has been reported of the said road beyond the town of Chamberlain, in the State of South Dakota, as evidenced by the report of the Secretary of the Interior dated December 3, 1894:

Now, therefore, I, Grover Cleveland, President of the United States, do declare that the said lands granted for right of way and station purposes, to wit, that tract of land known as lots 2, 3, and 4 and the southeast quarter of the southwest quarter of section 10, and lots 1 and 9 in section 15, township 104 north, range 71 west, containing 188 acres, as shown by a plat approved January 24, 1891, being the tract selected by the Chicago, Milwaukee and St. Paul Railway Company under the sixteenth section of the act of March 2, 1889 (25 U. S. Statutes at Large, p. 888), also the 640 acres in said township 104 north, ranges 71 and 72 west, fifth principal meridian, in the State of South Dakota, plat of which was approved by the Secretary of the Interior January 24, 1889, and now on file in the General Land Office, are forfeited to the United States and will be subject to entry under the homestead laws as provided by said act of March 2, 1889, whenever the Secretary of the Interior shall give due notice to the local officers of this declaration of forfeiture.

Given under my hand, at the city of Washington, this 5th day of December, A. D. 1894.

GROVER CLEVELAND,
President of the United States.

By the President:
S. W. LAMOREUX,
Commissioner of the General Land Office.

*See pp. 5529-5532.

EXECUTIVE ORDERS.

CIVIL SERVICE.—REVOCATION OF PROMOTION REGULATIONS.

DECEMBER 11, 1893.

The promotion regulations applied to the War Department May 7, 1887, under authority contained in amended Civil-Service Rule VI are hereby revoked, and hereafter promotions in that Department, until otherwise provided, will be made in accordance with the provisions of Departmental Rule IX and the order of the Secretary of War of March 2, 1892, or such other and further orders as the said Secretary may make not inconsistent with the civil-service rules and the order of the President of December 4, 1891, directing the keeping of an efficiency record with a view to the placing of promotions wholly upon the basis of merit.

GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

GENERAL RULE III.

Amend General Rule III by striking out clause (*e*) of section 2.

DEPARTMENTAL RULE II.

Amend Departmental Rule II by striking out the whole of section 1 and substituting therefor the following:

1. To test fitness for the classified departmental service there shall be a clerk-copyist examination and such supplementary and special examinations as the Commission may provide to meet the special requirements of the service. The clerk-copyist examination shall not include more than the following subjects: Orthography, copying, penmanship, arithmetic (fundamental rules, fractions, percentage, interest, and discount), elements of bookkeeping and accounts, elements of the English language, letter writing, elements of the geography, history, and government of the United States.

DEPARTMENTAL RULE VI.

Amend Departmental Rule VI as follows:

In section 1, line 1, strike out the words "copyist and of the clerk" and insert in lieu thereof the words "clerk-copyist," and in the same line strike out the final letter in the word "examinations." In section 4 strike out all after the word "the" where it occurs the second time in line 6 down to and including the word "separated" in line 8 and insert in lieu thereof the words "clerk-copyist," and strike out the final letter of the word "examinations" in line 9. In section 9, line 1, strike out the words "the copyist and the clerk" and insert in lieu thereof the word "all," and strike out all after the word "register" in line 3 to the end of the section.

DEPARTMENTAL RULE VII.

Amend Departmental Rule VII as follows:

In section 1, after the word "clerk" in line 3, insert a hyphen and the word "copyist." In section 3, after the word "the" where it occurs the second time in line 1, strike out the words "copyist or the clerk" and insert in lieu thereof the words "clerk-copyist." Strike out all of section 4 and change the numbering of the sections following as required.

DEPARTMENTAL RULE IX.

Amend Departmental Rule IX as follows:

In section 2, after the word "clerk" in line 1, insert a hyphen and the word "copyist." In section 3, after the word "clerk" in line 1, insert a hyphen and the word "copyist." Strike out the period at the end of section 5 and insert in lieu thereof a comma, and add to the section the following:

But the provisions of clause 1 of this rule shall cease to be operative when, by reason of the consolidation of the clerk and copyist examinations, there shall no longer be any persons in the departmental service to whom they apply.

POSTAL RULE IV.

Postal Rule IV is hereby amended by adding thereto the following section:

4. In case of the sudden occurrence of a vacancy in a position within the classified service of any post-office which the public interest requires shall be immediately filled, and which can not be so filled by certification from the eligible registers, such vacancy may be filled by temporary appointment until a regular appointment can be made under the provisions of sections 1 and 2 of this rule: *Provided*, Such temporary appointment shall in no case continue longer than ninety days: *And provided further*, That no person shall serve more than ninety days in any one year under such temporary appointment. Every such temporary appointment and also the discontinuance of the same shall at once be reported to the Commission.

Approved, January 5, 1894. GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Departmental Rule VII is hereby amended by adding thereto the following section:

9. In case of the sudden occurrence of a vacancy in the position of observer in the Weather Bureau of the Department of Agriculture which the public interest requires shall be immediately filled, and which can not be so filled by certification from the eligible registers of the Commission, the Secretary of Agriculture may fill such vacancy by temporary appointment until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule: *Provided*, Such temporary appointment shall in no case continue longer than ninety days. Every such temporary appointment and the discontinuance of the same shall at once be reported to the Commission.

Approved, January 5, 1894. GROVER CLEVELAND.

CIVIL SERVICE.—EXECUTIVE ORDER WITHDRAWING FISH CULTURISTS FROM THE LIST OF PLACES TO BE FILLED BY NONCOMPETITIVE EXAMINATION.

EXECUTIVE MANSION, *January 20, 1894.*

So much of Executive orders heretofore issued under General Rule III, section 2, clause (*d*), as provides for the appointment of fish culturists upon noncompetitive examination is hereby revoked, and hereafter fish culturists will be appointed upon competitive examination.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

SPECIAL INDIAN RULE NO. 1.

EXECUTIVE MANSION, *March 6, 1894.*

Exceptions from examination are hereby made as follows: One superintendent and the necessary teachers, not exceeding four in number, for the organization and equipment of a normal school to be established at Albuquerque, N. Mex., this rule to expire by limitation six months after the date of its approval.

Approved:

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *March 20, 1894.*

So much of clause 6 of Special Departmental Rule No. 1, providing for exceptions from examination in the office of the Secretary in the Department of Agriculture, as excepts "clerk to act as appointment clerk" is hereby revoked, and that position will hereafter be treated as subject to competitive examination.

Approved:

GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

Section 6 of Special Departmental Rule No. 1 is hereby amended by striking from the list of excepted places in the Weather Bureau of the Department of Agriculture enumerated therein the following:

The three professors of meteorology of highest grade.

Said section is further amended by adding thereto the following:

Noncompetitive examinations shall be held, on such dates and at such places as the Commission may from time to time determine, to test the competency of inspectors and assistant inspectors in the Bureau of Animal Industry in the Department of Agriculture employed elsewhere than at Washington, who were so employed on the date

inspectors and assistant inspectors were included in the classified service and have been continued in the service of the Department until opportunity has been provided for their noncompetitive examination. The results of such examination shall be reported by the Commission to the Secretary of Agriculture.

Approved, May 1, 1894. GROVER CLEVELAND.

Amendments of Civil-Service Rules.

Executive Mansion, *May 11, 1894.*

SPECIAL DEPARTMENTAL RULE NO. 1.

Special Departmental Rule No. 1 is hereby amended by adding to the exceptions from examination therein made in the Department of the Treasury the following:

In the office of the Second Auditor: One skilled laborer with duties exclusively of a carpenter and cabinetmaker.

In the Bureau of Engraving and Printing: Custodian of proving presses and modeler.

SPECIAL CUSTOMS RULE NO. 1.

Special Customs Rule No. 1, authorizing certain exceptions from examination in the classified customs service, is hereby amended by adding to the statement of places therein excepted the following:

In the customs district of Vermont: One deputy collector and inspector, to be stationed at Halifax during the winter and at Quebec during the time the St. Lawrence River is open to navigation.

RAILWAY MAIL RULE IV.

Railway Mail Rule IV, section 2, clause (*b*), of the civil-service rules is hereby amended by striking out all after the word "averages" in line 3 to and including the word "territory" in line 10, and the word "further" in line 10; so that as amended the clause will read:

The Commission shall certify from the register of the State or Territory in which the vacancy exists the names of the three eligibles thereon having the highest averages: *Provided*, That if upon the register of the State or Territory in which the vacancy exists there are the names of eligibles having a claim of preference under section 1754, Revised Statutes, the names of such eligibles shall be certified before the names of other eligibles of higher grade: *Provided further*, That on a line on which the service does not require the full time of a clerk, and one can be employed jointly with the railroad company, the appointment may be made without examination and certification, with the consent of the Commission, upon a statement of the facts by the general superintendent; but no clerk so appointed shall be eligible for transfer or appointment to any other place in the service.

Section 6 of said rule is hereby amended by adding after the word "substitutes" in line 6 the words "resident in the counties which are supplied wholly or in part by the road on which the vacancy exists;" so that as amended the section will read:

6. There may be certified and appointed in each State and Territory, in the manner provided for in this rule, such number of substitute clerks, not exceeding the ratio of one substitute to ten regular clerks, in such State or Territory as the Postmaster-General may authorize, and any vacancies occurring in class 1 in any State

or Territory in which substitutes have been appointed shall be filled by the appointment thereto of those substitutes resident in the counties which are supplied wholly or in part by the road on which the vacancy exists, in the order of their appointment as substitutes, without further certification. The time during which any substitute is actually employed in the service shall be counted as part of his probation.

GENERAL RULE III.

Section 2 of General Rule III is hereby amended by adding thereto the following clause:

(*h*) For the appointment of an Indian as assistant teacher in the Indian-school service.

INDIAN RULE IV.

Indian Rule IV is hereby amended by adding thereto the following section:

6. Upon the nomination by the Commissioner of Indian Affairs, through the Secretary of the Interior, of an Indian for appointment as assistant teacher, the Commission shall give such Indian noncompetitive examination under General Rule III, section 2, clause (*h*), upon passing which at the required grade he shall be certified and appointed for the probationary period provided for in section 3 of this rule, at the end of which period he shall be absolutely appointed or discharged from the service in accordance with the provisions of said section. Any Indian appointed assistant teacher as herein provided may be, any time after absolute appointment, appointed teacher upon the certification of the Commission that he has passed the teacher's examination.

Approved: GROVER CLEVELAND.

CIVIL SERVICE.—AMENDMENT OF CLASSIFICATION OF THE INDIAN SERVICE AS MADE BY THE SECRETARY OF THE INTERIOR APRIL 13, 1891.

EXECUTIVE MANSION, *May 11, 1894.*

In the exercise of the power vested in the President by the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, I hereby direct the Secretary of the Interior to revise the classification of the Indian service made by him, by direction of the President, on the 13th day of April, 1891, and to include in class 3 of said classification assistant teachers.

Approved: GROVER CLEVELAND.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

EXECUTIVE MANSION, *May 26, 1894.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Wednesday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers and sailors who fell in defense of the Union during the War of the Rebellion.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Indian Rule No. 1 is hereby amended by adding to the places excepted from examination therein the following:

Kindergarten teachers, to be employed as such, not exceeding twenty in number.

Approved, June 21, 1894. GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Customs Rule No. 1 is hereby amended by adding to the places excepted from examination therein the following:

In the customs district of Boston, office of the collector: One superintendent of warehouses.

In the customs district of Philadelphia, office of the collector: Five chiefs of division.

Approved, June 21, 1894. GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *July 9, 1894.*

DEPARTMENTAL RULE II.

Departmental Rule II, clause 3 (*f*), is hereby amended by adding at the end thereof the following words:

Except in the Department of Agriculture the chiefs of the following divisions: Entomology and economic ornithology and mammalogy.

SPECIAL DEPARTMENTAL RULE NO. 1.

Special Departmental Rule No. 1 is hereby amended by dropping from among the places therein excepted from examination the following:

In the Department of Agriculture, office of the Secretary, the assistant chiefs of the following divisions: Of entomology and of economic ornithology and mammalogy.

Approved: GROVER CLEVELAND.

CIVIL SERVICE.—AMENDMENT OF CLASSIFICATION OF THE DEPARTMENT OF THE INTERIOR.

EXECUTIVE MANSION, *July 25, 1894.*

In the exercise of the power vested in the President by the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, I hereby direct the Secretary of the Interior to revise the classification of the Department of the Interior so as to include therein the chief clerk and the assistant chief clerk at the Indian warehouse at New York.

Approved: GROVER CLEVELAND.

BLOCKHOUSE AND CHARGE OF SAN JUAN HILL

CAPTURE OF SAN JUAN HILL.

While our army rested from June 24 to 30, 1898, the Spaniards diligently entrenched themselves on San Juan Hill. By the time we attacked (July 1), their position was nearly all that military skill could make it. Sumner's division of seven thousand lay at the edge of the woods in the valley, within a half-mile range, while the Spaniards from their trenches fired in volleys so systematically that each rod of ground received its due proportion of lead.

Grimes's battery threw its shrapnel over the heads of our troops into the blockhouse and trenches.

Finally, the Spanish fire made their position absolutely untenable. Retreat was impossible, because the trail was choked with men. Their only means of escape was to advance. According to an eyewitness, Roosevelt rode out of the woods at the head of his men, but found the negroes of the Ninth Cavalry in his way. The negroes sprang in line beside the Rough Riders. Then commenced the famous charge. Picturesque details were sadly lacking. The grass offered about as much resistance as water waist high, and the climb was made slowly and stubbornly by a single line of men, slipping and scrambling over the ground. The crest of the hill sputtered little jets of flame at them; some of the advancers tumbled out of sight in the grass, but like a rising tide, the troops went on. Near the top the lessening of the area drew the men closer together. They broke into a run. That was all the Spaniards could endure, and they fled.

See the articles "Spanish-American War," "Santiago," "Santiago Harbor," and "Guantanamo" in the Encyclopedic Index. President McKinley's war time messages form the official record of the war.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Departmental Rule No. 1 is hereby amended by adding to the places therein excepted from examination in the Department of the Treasury the following:

In the Bureau of Statistics: One expert in mechanical designs and in diagramming commercial and financial facts.

Approved, November 2, 1894. GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

DEPARTMENTAL RULE II.

Departmental Rule II, clause 3 (*f*), is hereby amended by adding at the end thereof the following words: "and of pomology;" so that as amended the paragraph will read:

(*f*) Chiefs of divisions, except in the Department of Agriculture the chiefs of the following divisions: Entomology, economic ornithology and mammalogy, and of pomology.

SPECIAL DEPARTMENTAL RULE NO. 1.

Special Departmental Rule No. 1 is hereby amended by dropping from among the places therein excepted from examination the following:

In the Department of Agriculture, office of the Secretary: The assistant chief of the division of pomology.

Approved, November 2, 1894. GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *November 2, 1894.*

INDIAN RULE IV

Section 6 of Indian Rule IV is hereby amended by inserting the following proviso at the end of the first sentence:

Provided, That the certificates of graduation of the Indian graduates of the normal classes at Santa Fe, N. Mex.; Salem, Oreg.; Haskell Institute, Lawrence, Kans.; Carlisle, Pa., and Hampton, Va., may be accepted by the Commission as the basis of certification in lieu of the examination herein provided.

As amended the section will read:

6. Upon the nomination by the Commissioner of Indian Affairs, through the Secretary of the Interior, of an Indian for appointment as assistant teacher, the Commission shall give such Indian noncompetitive examination, under General Rule III, section 2, clause (*h*), upon passing which at the required grade he shall be certified and appointed for the probationary period provided for in section 3 of this rule, at the end of which period he shall be absolutely appointed or discharged from the

service in accordance with the provisions of said section: *Provided*, That the certificates of graduation of the Indian graduates of the normal classes at Santa Fe, N. Mex.; Salem, Oreg.; Haskell Institute, Lawrence, Kans.; Carlisle, Pa., and Hampton, Va., may be accepted by the Commission as the basis of certification in lieu of the examination herein provided for. Any Indian appointed assistant teacher as herein provided may at any time after absolute appointment be appointed teacher upon the certification of the Commission that he has passed the teacher examination.

SPECIAL INDIAN RULE NO. I.

Special Indian Rule No. 1 is hereby amended by inserting after the words "New Mexico" in line 3 the words "also one normal teacher each at the Salem (Oreg.) school and the Haskell Institute, Lawrence, Kans." As amended the rule will read:

Exceptions from examination are hereby made as follows: One superintendent and the necessary teachers, not exceeding four in number, for the organization and equipment of one normal school to be established at Santa Fe, N. Mex.; also one normal teacher each at the Salem (Oreg.) school and the Haskell Institute, Lawrence, Kans.; this rule to expire by limitation six months after the date of its approval.

Approved: GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

Postal Rule II is hereby amended by striking out all of section 5 and inserting in lieu thereof the following:

5. Exceptions from examination in the classified postal service are hereby made as follows:

(*a*) Assistant postmaster or the chief assistant to the postmaster, by whatever designation known.

(*b*) One secretary to the postmaster, when authorized by law and allowed by the Post-Office Department.

(*c*) Cashier, when authorized by law and employed under that roster title.

(*d*) Assistant cashier, when authorized by law and employed under that roster title.

(*e*) Superintendents of station or branch post-offices at which letter carriers are employed.

(*f*) Printers and pressmen, when authorized by law and allowed by the Post-Office Department and employed as such.

6. No person appointed to a place under any exception made by any postal rule shall be transferred to any other place not also excepted from examination.

Postal Rule IV is hereby amended by inserting after the word "manner," in section 1, line 3, the following:

Provided, That superintendents of mail shall be selected from among the employees of the railway mail service or of the mailing division of the post-office at which they are respectively to serve.

Postal Rule VIII is hereby amended as follows:

In clause (*a*), line 2, after the word "by," insert the word "any," and in the same line strike out "II, clause 5."

Approved, November 2, 1894. GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *November 2, 1894.*

Departmental Rule VII, clause 1, is hereby amended by inserting at the end of line 6 the following:

Vacancies in places authorized to be filled by noncompetitive examination may be filled without examination for a period not exceeding thirty days, until a regular appointment can be made upon certification made by the Commission.

Every such appointment and the reasons therefor shall be at once reported to the Commission.

Approved:

GROVER CLEVELAND.

CIVIL SERVICE.—AMENDMENT OF CLASSIFICATION.

In pursuance of the authority contained in the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the heads of the several Executive Departments are hereby directed to amend their several classifications so as to include among the employees classified thereunder messengers, assistant messengers, and watchmen.

Approved, November 2, 1894.

GROVER CLEVELAND.

CIVIL SERVICE.—AMENDMENT OF CLASSIFICATION.

In pursuance of the authority contained in the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the Postmaster-General is hereby directed to amend the classification of the Post-Office Department so as to include among the classes covered thereby clerks to post-office inspectors.

Approved, November 2, 1894.

GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

GENERAL RULE III.

General Rule III is hereby amended by striking out clause (*b*) of section 2 and relettering the remaining clauses of the section accordingly.

DEPARTMENTAL RULES.

Departmental Rule II is hereby amended as follows:

In section 4, line 1, strike out the word "hereby," and insert after the word "made," at the end of the line, the words "by any departmental rule;" in line 2, after the word "shall," strike out the words "within one year after appointment;" substitute a period for the semicolon in

line 3 and strike out the remainder of the section. As amended the section will read:

4. No person appointed to a place under the exceptions to examination made by any departmental rule shall be transferred from such place to a place not also excepted from examination.

Departmental Rule XI is hereby amended as follows:

In clause (*a*), line 2, insert the word "any" before the word "departmental," and strike out in line 3 all after the word "rule."

RAILWAY MAIL RULES.

Railway Mail Rule II is hereby amended as follows:

In section 6, line 2, after the word "shall," strike out the words "within one year after appointment;" substitute a period for the semicolon in line 3 and strike out the remainder of the section. As amended the section will read:

6. No person appointed to a place under any exception to examination hereby made shall be transferred to another place not also excepted from examination.

Approved, November 2, 1894. GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

Customs Rule I is hereby amended as follows:

In section 2, line 2, strike out the word "fifty" and insert in lieu thereof the word "twenty."

Customs Rule II is hereby amended as follows:

In section 6, line 1, strike out the word "hereby," and after the word "made," at the end of the line, insert the words "by any customs rule;" in line 2, after the word "shall," strike out the words "within one year after appointment;" substitute a period for the semicolon in line 3 and strike out the remainder of the section. As amended the clause will read:

No person appointed to a place under any exception to examination made by any customs rule shall be transferred from such place to another place not also excepted from examination.

Customs Rule VIII is hereby amended as follows:

In clause (*a*), line 2, after the word "by," insert the word "any," and in the same line strike out "II, clause 5."

Approved, November 2, 1894. GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

DEPARTMENTAL RULE VII.

Departmental Rule VII is hereby amended by adding to the first paragraph of section 1 the following proviso:

Provided further, That sea post clerks in the Post-Office Department shall be appointed by transfer from the classified railway mail service or the classified postal

service, and shall be eligible at any time for retransfer to the service from which transferred, but shall not be transferred to any other department or branch of the service, nor to any other place in the Post-Office Department, without examination and certification by the Commission.

RAILWAY MAIL RULE II.

Railway Mail Rule II is hereby amended as follows:

In section 5 strike out clauses (*e*) and (*f*).

RAILWAY MAIL RULE IV.

Railway Mail Rule IV is hereby amended as follows:

In the last proviso of clause (*b*) of section 2, in line 2 of that proviso, after the word "line," insert the words "or at a transfer station or on a steamboat;" in the same line strike out the words "on which" and substitute therefor the word "where," and in line 3, after the word "railroad," insert the words "or steamboat;" so that as amended the proviso will read:

Provided further, That on a line or at a transfer station or on a steamboat where the service does not require the full time of a clerk, and one can be employed jointly with the railroad or steamboat company, the appointment may be made without examination and certification, with the consent of the Commission, upon a statement of the facts by the general superintendent; but no clerk so appointed shall be eligible for transfer or appointment to any other place in the service.

Approved, November 17, 1894. GROVER CLEVELAND.

SECOND ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 3, 1894.*

To the Congress of the United States:

The assemblage within the nation's legislative halls of those charged with the duty of making laws for the benefit of a generous and free people impressively suggests the exacting obligation and inexorable responsibility involved in their task. At the threshold of such labor now to be undertaken by the Congress of the United States, and in the discharge of an executive duty enjoined by the Constitution, I submit this communication, containing a brief statement of the condition of our national affairs and recommending such legislation as seems to me necessary and expedient.

The history of our recent dealings with other nations and our peaceful relations with them at this time additionally demonstrate the advantage of consistently adhering to a firm but just foreign policy, free from envious or ambitious national schemes and characterized by entire honesty and sincerity.

During the past year, pursuant to a law of Congress, commissioners were appointed to the Antwerp Industrial Exposition. Though the participation of American exhibitors fell far short of completely illustrating our national ingenuity and industrial achievements, yet it was quite creditable in view of the brief time allowed for preparation.

I have endeavored to impress upon the Belgian Government the needlessness and positive harmfulness of its restrictions upon the importation of certain of our food products, and have strongly urged that the rigid supervision and inspection under our laws are amply sufficient to prevent the exportation from this country of diseased cattle and unwholesome meat.

The termination of the civil war in Brazil has been followed by the general prevalence of peace and order. It appearing at an early stage of the insurrection that its course would call for unusual watchfulness on the part of this Government, our naval force in the harbor of Rio de Janeiro was strengthened. This precaution, I am satisfied, tended to restrict the issue to a simple trial of strength between the Brazilian Government and the insurgents and to avert complications which at times seemed imminent. Our firm attitude of neutrality was maintained to the end. The insurgents received no encouragement of eventual asylum from our commanders, and such opposition as they encountered was for the protection of our commerce and was clearly justified by public law.

A serious tension of relations having arisen at the close of the war between Brazil and Portugal by reason of the escape of the insurgent admiral Da Gama and his followers, the friendly offices of our representatives to those countries were exerted for the protection of the subjects of either within the territory of the other.

Although the Government of Brazil was duly notified that the commercial arrangement existing between the United States and that country based on the third section of the tariff act of 1890 was abrogated on August 28, 1894, by the taking effect of the tariff law now in force, that Government subsequently notified us of its intention to terminate such arrangement on the 1st day of January, 1895, in the exercise of the right reserved in the agreement between the two countries. I invite attention to the correspondence between the Secretary of State and the Brazilian minister on this subject.

The commission organized under the convention which we had entered into with Chile for the settlement of the outstanding claims of each Government against the other adjourned at the end of the period stipulated for its continuance leaving undetermined a number of American cases which had been duly presented. These claims are not barred, and negotiations are in progress for their submission to a new tribunal.

On the 17th of March last a new treaty with China in further regulation of emigration was signed at Washington, and on August 13 it received the sanction of the Senate. Ratification on the part of China and formal exchange are awaited to give effect to this mutually beneficial convention.

A gratifying recognition of the uniform impartiality of this country toward all foreign states was manifested by the coincident request of the Chinese and Japanese Governments that the agents of the United States should within proper limits afford protection to the subjects of the other during the suspension of diplomatic relations due to a state of war. This delicate office was accepted, and a misapprehension which gave rise to the belief that in affording this kindly unofficial protection our agents would exercise the same authority which the withdrawn agents of the belligerents had exercised was promptly corrected. Although the war between China and Japan endangers no policy of the United States, it deserves our gravest consideration by reason of its disturbance of our growing commercial interests in the two countries and the increased dangers which may result to our citizens domiciled or sojourning in the interior of China.

Acting under a stipulation in our treaty with Korea (the first concluded with a western power), I felt constrained at the beginning of the controversy to tender our good offices to induce an amicable arrangement of the initial difficulty growing out of the Japanese demands for administrative reforms in Korea, but the unhappy precipitation of actual hostilities defeated this kindly purpose.

Deploring the destructive war between the two most powerful of the eastern nations and anxious that our commercial interests in those countries may be preserved and that the safety of our citizens there shall not be jeopardized, I would not hesitate to heed any intimation that our friendly aid for the honorable termination of hostilities would be acceptable to both belligerents.

A convention has been finally concluded for the settlement by arbitration of the prolonged dispute with Ecuador growing out of the proceedings against Emilio Santos, a naturalized citizen of the United States.

Our relations with the Republic of France continue to be such as should exist between nations so long bound together by friendly sympathy and similarity in their form of government.

The recent cruel assassination of the President of this sister Republic called forth such universal expressions of sorrow and condolence from our people and Government as to leave no doubt of the depth and sincerity of our attachment. The resolutions passed by the Senate and House of Representatives on the occasion have been communicated to the widow of President Carnot.

Acting upon the reported discovery of Texas fever in cargoes of American cattle, the German prohibition against importations of live stock and fresh meats from this country has been revived. It is hoped that Germany will soon become convinced that the inhibition is as needless as it is harmful to mutual interests.

The German Government has protested against that provision of the customs tariff act which imposes a discriminating duty of one-tenth of 1

cent a pound on sugars coming from countries paying an export bounty thereon, claiming that the exaction of such duty is in contravention of Articles V and IX of the treaty of 1828 with Prussia.

In the interests of the commerce of both countries and to avoid even the accusation of treaty violation, I recommend the repeal of so much of the statute as imposes that duty, and I invite attention to the accompanying report of the Secretary of State, containing a discussion of the questions raised by the German protests.

Early in the present year an agreement was reached with Great Britain concerning instructions to be given to the naval commanders of the two Governments in Bering Sea and the contiguous North Pacific Ocean for their guidance in the execution of the award of the Paris Tribunal of Arbitration and the enforcement of the regulations therein prescribed for the protection of seal life in the waters mentioned. An understanding has also been reached for the payment by the United States of $425,000 in full satisfaction of all claims which may be made by Great Britain for damages growing out of the controversy as to fur seals in Bering Sea or the seizure of British vessels engaged in taking seal in those waters. The award and findings of the Paris Tribunal to a great extent determined the facts and principles upon which these claims should be adjusted, and they have been subjected by both Governments to a thorough examination upon the principles as well as the facts which they involve. I am convinced that a settlement upon the terms mentioned would be an equitable and advantageous one, and I recommend that provision be made for the prompt payment of the stated sum.

Thus far only France and Portugal have signified their willingness to adhere to the regulations established under the award of the Paris Tribunal of Arbitration.

Preliminary surveys of the Alaskan boundary and a preparatory examination of the question of protection of food fish in the contiguous waters of the United States and the Dominion of Canada are in progress.

The boundary of British Guiana still remains in dispute between Great Britain and Venezuela. Believing that its early settlement on some just basis alike honorable to both parties is in the line of our established policy to remove from this hemisphere all causes of difference with powers beyond the sea, I shall renew the efforts heretofore made to bring about a restoration of diplomatic relations between the disputants and to induce a reference to arbitration—a resort which Great Britain so conspicuously favors in principle and respects in practice and which is earnestly sought by her weaker adversary.

Since communicating the voluminous correspondence in regard to Hawaii and the action taken by the Senate and House of Representatives on certain questions submitted to the judgment and wider discretion of Congress the organization of a government in place of the provisional arrangement which followed the deposition of the Queen has been

announced, with evidence of its effective operation. The recognition usual in such cases has been accorded the new Government.

Under our present treaties of extradition with Italy miscarriages of justice have occurred owing to the refusal of that Government to surrender its own subjects. Thus far our efforts to negotiate an amended convention obviating this difficulty have been unavailing.

Apart from the war in which the Island Empire is engaged, Japan attracts increasing attention in this country by her evident desire to cultivate more liberal intercourse with us and to seek our kindly aid in furtherance of her laudable desire for complete autonomy in her domestic affairs and full equality in the family of nations. The Japanese Empire of to-day is no longer the Japan of the past, and our relations with this progressive nation should not be less broad and liberal than those with other powers.

Good will, fostered by many interests in common, has marked our relations with our nearest southern neighbor. Peace being restored along her northern frontier, Mexico has asked the punishment of the late disturbers of her tranquillity. There ought to be a new treaty of commerce and navigation with that country to take the place of the one which terminated thirteen years ago. The friendliness of the intercourse between the two countries is attested by the fact that during this long period the commerce of each has steadily increased under the rule of mutual consideration, being neither stimulated by conventional arrangements nor retarded by jealous rivalries or selfish distrust.

An indemnity tendered by Mexico as a gracious act for the murder in 1887 of Leon Baldwin, an American citizen, by a band of marauders in Durango has been accepted and is being paid in installments.

The problem of the storage and use of the waters of the Rio Grande for irrigation should be solved by appropriate concurrent action of the two interested countries. Rising in the Colorado heights, the stream flows intermittently, yielding little water during the dry months to the irrigation channels already constructed along its course. This scarcity is often severely felt in the regions where the river forms a common boundary. Moreover, the frequent changes in its course through level sands often raise embarrassing questions of territorial jurisdiction.

Prominent among the questions of the year was the Bluefields incident, in what is known as the Mosquito Indian Strip, bordering on the Atlantic Ocean and within the jurisdiction of Nicaragua. By the treaty of 1860 between Great Britain and Nicaragua the former Government expressly recognized the sovereignty of the latter over the strip, and a limited form of self-government was guaranteed to the Mosquito Indians, to be exercised according to their customs, for themselves and other dwellers within its limits. The so-called native government, which grew to be largely made up of aliens, for many years disputed the sovereignty of Nicaragua over the strip and claimed the right to maintain therein a practically

independent municipal government. Early in the past year efforts of Nicaragua to maintain sovereignty over the Mosquito territory led to serious disturbances, culminating in the suppression of the native government and the attempted substitution of an impracticable composite administration in which Nicaragua and alien residents were to participate. Failure was followed by an insurrection, which for a time subverted Nicaraguan rule, expelling her officers and restoring the old organization. This in turn gave place to the existing local government established and upheld by Nicaragua.

Although the alien interests arrayed against Nicaragua in these transactions have been largely American and the commerce of that region for some time has been and still is chiefly controlled by our citizens, we can not for that reason challenge the rightful sovereignty of Nicaragua over this important part of her domain.

For some months one, and during part of the time two, of our naval ships have been stationed at Bluefields for the protection of all legitimate interests of our citizens. In September last the Government at Managua expelled from its territory twelve or more foreigners, including two Americans, for alleged participation in the seditious or revolutionary movements against the Republic at Bluefields already mentioned; but through the earnest remonstrance of this Government the two Americans have been permitted to return to the peaceful management of their business. Our naval commanders at the scene of these disturbances by their constant exhibition of firmness and good judgment contributed largely to the prevention of more serious consequences and to the restoration of quiet and order. I regret that in the midst of these occurrences there happened a most grave and irritating failure of Nicaraguan justice. An American citizen named Wilson, residing at Rama, in the Mosquito territory, was murdered by one Argüello, the acting governor of the town. After some delay the murderer was arrested, but so insecurely confined or guarded that he escaped, and notwithstanding our repeated demands it is claimed that his recapture has been impossible by reason of his flight beyond Nicaraguan jurisdiction.

The Nicaraguan authorities, having given notice of forfeiture of their concession to the canal company on grounds purely technical and not embraced in the contract, have receded from that position.

Peru, I regret to say, shows symptoms of domestic disturbance, due probably to the slowness of her recuperation from the distresses of the war of 1881. Weakened in resources, her difficulties in facing international obligations invite our kindly sympathy and justify our forbearance in pressing long-pending claims. I have felt constrained to testify this sympathy in connection with certain demands urgently preferred by other powers.

The recent death of the Czar of Russia called forth appropriate expressions of sorrow and sympathy on the part of our Government with his

bereaved family and the Russian people. As a further demonstration of respect and friendship our minister at St. Petersburg was directed to represent our Government at the funeral ceremonies.

The sealing interests of Russia in Bering Sea are second only to our own. A *modus vivendi* has therefore been concluded with the Imperial Government restrictive of poaching on the Russian rookeries and of sealing in waters which were not comprehended in the protected area defined in the Paris award.

Occasion has been found to urge upon the Russian Government equality of treatment for our great life-insurance companies whose operations have been extended throughout Europe. Admitting as we do foreign corporations to transact business in the United States, we naturally expect no less tolerance for our own in the ample fields of competition abroad.

But few cases of interference with naturalized citizens returning to Russia have been reported during the current year. One Krzeminski was arrested last summer in a Polish province on a reported charge of unpermitted renunciation of Russian allegiance, but it transpired that the proceedings originated in alleged malfeasance committed by Krzeminski while an imperial official a number of years ago. Efforts for his release, which promised to be successful, were in progress when his death was reported.

The Government of Salvador having been overthrown by an abrupt popular outbreak, certain of its military and civil officers, while hotly pursued by infuriated insurgents, sought refuge on board the United States war ship *Bennington*, then lying in a Salvadorean port. Although the practice of asylum is not favored by this Government, yet in view of the imminent peril which threatened the fugitives and solely from considerations of humanity they were afforded shelter by our naval commander, and when afterwards demanded under our treaty of extradition with Salvador for trial on charges of murder, arson, and robbery I directed that such of them as had not voluntarily left the ship be conveyed to one of our nearest ports where a hearing could be had before a judicial officer, in compliance with the terms of the treaty. On their arrival at San Francisco such a proceeding was promptly instituted before the United States district judge, who held that the acts constituting the alleged offenses were political and discharged all the accused except one Cienfuegos, who was held for an attempt to murder. Thereupon I was constrained to direct his release for the reason that an attempt to murder was not one of the crimes charged against him and upon which his surrender to the Salvadorean authorities had been demanded.

Unreasonable and unjust fines imposed by Spain on the vessels and commerce of the United States have demanded from time to time during the last twenty years earnest remonstrance on the part of our Government. In the immediate past exorbitant penalties have been imposed

upon our vessels and goods by customs authorities of Cuba and Puerto Rico for clerical errors of the most trivial character in the manifests of bills of lading. In some cases fines amounting to thousands of dollars have been levied upon cargoes or the carrying vessels when the goods in question were entitled to free entry. Fines have been exacted even when the error had been detected and the Spanish authorities notified before the arrival of the goods in port.

This conduct is in strange contrast with the considerate and liberal treatment extended to Spanish vessels and cargoes in our ports in like cases. No satisfactory settlement of these vexatious questions has yet been reached.

The Mora case, referred to in my last annual message, remains unsettled. From the diplomatic correspondence on this subject which has been laid before the Senate it will be seen that this Government has offered to conclude a convention with Spain for disposal by arbitration of outstanding claims between the two countries, except the Mora claim, which, having been long ago adjusted, now only awaits payment as stipulated, and of course it could not be included in the proposed convention. It was hoped that this offer would remove parliamentary obstacles encountered by the Spanish Government in providing payment of the Mora indemnity. I regret to say that no definite reply to this offer has yet been made and all efforts to secure payment of this settled claim have been unavailing.

In my last annual message I adverted to the claim on the part of Turkey of the right to expel as persons undesirable and dangerous Armenians naturalized in the United States and returning to Turkish jurisdiction.* Numerous questions in this relation have arisen. While this Government acquiesces in the asserted right of expulsion, it will not consent that Armenians may be imprisoned or otherwise punished for no other reason than having acquired without imperial consent American citizenship.

Three of the assailants of Miss Melton, an American teacher in Mosul, have been convicted by the Ottoman courts, and I am advised that an appeal against the acquittal of the remaining five has been taken by the Turkish prosecuting officer.

A convention has been concluded with Venezuela for the arbitration of a long-disputed claim growing out of the seizure of certain vessels the property of citizens of the United States. Although signed, the treaty of extradition with Venezuela is not yet in force, owing to the insistence of that Government that when surrendered its citizens shall in no case be liable to capital punishment.

The rules for the prevention of collisions at sea which were framed by the maritime conference held in this city in 1889, having been concurrently incorporated in the statutes of the United States and Great Britain,

* See pp. 5872–5873.

have been announced to take effect March 1, 1895, and invitations have been extended to all maritime nations to adhere to them. Favorable responses have thus far been received from Austria, France, Portugal, Spain, and Sweden.

In my last annual message I referred briefly to the unsatisfactory state of affairs in Samoa under the operation of the Berlin treaty as signally illustrating the impolicy of entangling alliances with foreign powers,* and on May 9, 1894, in response to a resolution of the Senate, I sent a special message† and documents to that body on the same subject, which emphasized my previously expressed opinions. Later occurrences, the correspondence in regard to which will be laid before the Congress, further demonstrate that the Government which was devised by the three powers and forced upon the Samoans against their inveterate hostility can be maintained only by the continued presence of foreign military force and at no small sacrifice of life and treasure.

The suppression of the Mataafa insurrection by the powers and the subsequent banishment of the leader and eleven other chiefs, as recited in my last message, did not bring lasting peace to the islands. Formidable uprisings continued, and finally a rebellion broke out in the capital island, Upolu, headed in Aana, the western district, by the younger Tamasese, and in Atua, the eastern district, by other leaders. The insurgents ravaged the country and fought the Government's troops up to the very doors of Apia. The King again appealed to the powers for help, and the combined British and German naval forces reduced the Atuans to apparent subjection, not, however, without considerable loss to the natives. A few days later Tamasese and his adherents, fearing the ships and the marines, professed submission.

Reports received from our agents at Apia do not justify the belief that the peace thus brought about will be of long duration. It is their conviction that the natives are at heart hostile to the present Government, that such of them as profess loyalty to it do so from fear of the powers, and that it would speedily go to pieces if the war ships were withdrawn. In reporting to his Government on the unsatisfactory situation since the suppression of the late revolt by foreign armed forces, the German consul at Apia stated:

> That peace will be lasting is hardly to be presumed. The lesson given by firing on Atua was not sufficiently sharp and incisive to leave a lasting impression on the forgetful Samoan temperament. In fact, conditions are existing which show that peace will not last and is not seriously intended. Malietoa, the King, and his chiefs are convinced that the departure of the war ships will be a signal for a renewal of war. The circumstance that the representatives of the villages of all the districts which were opposed to the Government have already withdrawn to Atua to hold meetings, and that both Atua and Aana have forbidden inhabitants of those districts which fought on the side of the Government to return to their villages, and have already partly burned down the latter, indicates that a real conciliation of the parties is still far off.

* See p. 5871. † See p. 5909.

And in a note of the 10th ultimo, inclosing a copy of that report for the information of this Government, the German ambassador said.

> The contents of the report awakened the Imperial Government's apprehension that under existing circumstances the peace concluded with the rebels will afford no assurance of the lasting restoration of tranquillity in the islands.

The present Government has utterly failed to correct, if indeed it has not aggravated, the very evils it was intended to prevent. It has not stimulated our commerce with the islands. Our participation in its establishment against the wishes of the natives was in plain defiance of the conservative teachings and warnings of the wise and patriotic men who laid the foundations of our free institutions, and I invite an expression of the judgment of Congress on the propriety of steps being taken by this Government looking to the withdrawal from its engagements with the other powers on some reasonable terms not prejudicial to any of our existing rights.

The Secretary of the Treasury reports that the receipts of the Government from all sources of revenue during the fiscal year ending June 30, 1894, amounted to $372,802,498.29 and its expenditures to $442,605,758.87, leaving a deficit of $69,803,260.58. There was a decrease of $15,952,674.66 in the ordinary expense of the Government as compared with the fiscal year 1893.

There was collected from customs $131,818,530.62 and from internal revenue $147,168,449.70. The balance of the income for the year, amounting to $93,815,517.97, was derived from the sales of lands and other sources.

The value of our total dutiable imports amounted to $275,199,086, being $146,657,625 less than during the preceding year, and the importations free of duty amounted to $379,795,536, being $64,748,675 less than during the preceding year. The receipts from customs were $73,536,486.11 less and from internal revenue $13,836,539.97 less than in 1893.

The total tax collected from distilled spirits was $85,259,250.25, on manufactured tobacco $28,617,898.62, and on fermented liquors $31,414,788.04.

Our exports of merchandise, domestic and foreign, amounted during the year to $892,140,572, being an increase over the preceding year of $44,495,378.

The total amount of gold exported during the fiscal year was $76,898,061, as against $108,680,444 during the fiscal year 1893. The amount imported was $72,449,119, as against $21,174,381 during the previous year.

The imports of silver were $13,286,552 and the exports were $50,451,265.

The total bounty paid upon the production of sugar in the United States for the fiscal year was $12,100,208.89, being an increase of $2,725,078.01

over the payments made during the preceding year. The amount of bounty paid from July 1, 1894, to August 28, 1894, the time when further payments ceased by operation of law, was $966,185.84. The total expenses incurred in the payment of the bounty upon sugar during the fiscal year was $130,140.85.

It is estimated that upon the basis of the present revenue laws the receipts of the Government during the current fiscal year, ending June 30, 1895, will be $424,427,748.44 and its expenditures $444,427,748.44, resulting in a deficit of $20,000,000.

On the 1st day of November, 1894, the total stock of money of all kinds in the country was $2,240,773,888, as against $2,204,651,000 on the 1st day of November, 1893, and the money of all kinds in circulation, or not included in the Treasury holdings, was $1,672,093,422, or $24.27 per capita upon an estimated population of 68,887,000. At the same date there was held in the Treasury gold bullion amounting to $44,615,177.55 and silver bullion which was purchased at a cost of $127,772,988. The purchase of silver bullion under the act of July 14, 1890, ceased on the 1st day of November, 1893, and up to that time there had been purchased during the fiscal year 11,917,658.78 fine ounces, at a cost of $8,715,521.32, an average cost of $0.7313 per fine ounce. The total amount of silver purchased from the time that law took effect until the repeal of its purchasing clause, on the date last mentioned, was 168,674,682.53 fine ounces, which cost $155,931,002.25, the average price per fine ounce being $0.9244.

The total amount of standard silver dollars coined at the mints of the United States since the passage of the act of February 28, 1878, is $421,776,408, of which $378,166,793 were coined under the provisions of that act, $38,531,143 under the provisions of the act of July 14, 1890, and $5,078,472 under the act providing for the coinage of trade-dollar bullion.

The total coinage of all metals at our mints during the last fiscal year consisted of 63,485,220 pieces, valued at $106,216,730.06, of which there were $99,474,912.50 in gold coined, $758 in standard silver dollars, $6,024,140.30 in subsidiary silver coin, and $716,919.26 in minor coin.

During the calendar year 1893 the production of precious metals in the United States was estimated at 1,739,323 fine ounces of gold of the commercial and coinage value of $35,955,000 and 60,000,000 fine ounces of silver of the bullion or market value of $46,800,000 and of the coinage value of $77,576,000. It is estimated that on the 1st day of July, 1894, the stock of metallic money in the United States, consisting of coin and bullion, amounted to $1,251,640,958, of which $627,923,201 was gold and $624,347,757 was silver.

Fifty national banks were organized during the year ending October 31, 1894, with a capital of $5,285,000, and 79, with a capital of $10,475,000, went into voluntary liquidation. Twenty-one banks, with a capital of $2,770,000, were placed in the hands of receivers. The total number

of national banks in existence on the 31st day of October last was 3,756, being 40 less than on the 31st day of October, 1893. The capital stock paid in was $672,671,365, being $9,678,491 less than at the same time in the previous year, and the surplus fund and individual profits, less expenses and taxes paid, amounted to $334,121,082.10, which was $16,089,780 less than on October 31, 1893. The circulation was decreased $1,741,563. The obligations of the banks to each other were increased $117,268,334 and the individual deposits were $277,294,489 less than at the corresponding date in the previous year. Loans and discounts were $161,206,923 more than at the same time the previous year, and checks and other cash items were $90,349,963 more. The total resources of the banks at the date mentioned amounted to $3,473,922,055, as against $3,109,563,284.36 in 1893.

From the report of the Secretary of War it appears that the strength of the Army on September 30, 1894, was 2,135 officers and 25,765 enlisted men. Although this is apparently a very slight decrease compared with the previous year, the actual effective force has been increased to the equivalent of nearly two regiments through the reorganization of the system of recruiting and the consequent release to regimental duty of the large force of men hitherto serving at the recruiting depots. The abolition of these depots, it is predicted, will furthermore effect an annual reduction approximating $250,000 in the direct expenditures, besides promoting generally the health, morale, and discipline of the troops.

The execution of the policy of concentrating the Army at important centers of population and transportation, foreshadowed in the last annual report of the Secretary, has resulted in the abandonment of fifteen of the smaller posts, which was effected under a plan which assembles organizations of the same regiments hitherto widely separated. This renders our small forces more readily effective for any service which they may be called upon to perform, increases the extent of the territory under protection without diminishing the security heretofore afforded to any locality, improves the discipline, training, and *esprit de corps* of the Army, besides considerably decreasing the cost of its maintenance.

Though the forces of the Department of the East have been somewhat increased, more than three-fourths of the Army is still stationed west of the Mississippi. This carefully matured policy, which secures the best and greatest service in the interests of the general welfare from the small force comprising our Regular Army, should not be thoughtlessly embarrassed by the creation of new and unnecessary posts through acts of Congress to gratify the ambitions or interests of localities.

While the maximum legal strength of the Army is 25,000 men, the effective strength, through various causes, is but little over 20,000 men. The purpose of Congress does not, therefore, seem to be fully attained by the existing condition. While no considerable increase in the Army is, in my judgment, demanded by recent events, the policy of seacoast

fortification, in the prosecution of which we have been steadily engaged for some years, has so far developed as to suggest that the effective strength of the Army be now made at least equal to the legal strength. Measures taken by the Department during the year, as indicated, have already considerably augmented the effective force, and the Secretary of War presents a plan, which I recommend to the consideration of Congress, to attain the desired end. Economies effected in the Department in other lines of its work will offset to a great extent the expenditure involved in the proposition submitted. Among other things this contemplates the adoption of the three-battalion formation of regiments, which for several years has been indorsed by the Secretaries of War and the Generals Commanding the Army. Compact in itself, it provides a skeleton organization, ready to be filled out in the event of war, which is peculiarly adapted to our strength and requirements; and the fact that every other nation, with a single exception, has adopted this formation to meet the conditions of modern warfare should alone secure for the recommendation an early consideration.

It is hardly necessary to recall the fact that in obedience to the commands of the Constitution and the laws, and for the purpose of protecting the property of the United States, aiding the process of Federal courts, and removing lawless obstructions to the performance by the Government of its legitimate functions, it became necessary in various localities during the year to employ a considerable portion of the regular troops. The duty was discharged promptly, courageously, and with marked discretion by the officers and men, and the most gratifying proof was thus afforded that the Army deserves that complete confidence in its efficiency and discipline which the country has at all times manifested.

The year has been free from disturbances by Indians, and the chances of further depredations on their part are constantly becoming more remote and improbable.

The total expenditures for the War Department for the year ended June 30, 1894, amounted to $56,039,009.34. Of this sum $2,000,614.99 was for salaries and contingent expenses, $23,665,156.16 for the support of the military establishment, $5,001,682.23 for miscellaneous objects, and $25,371,555.96 for public works. This latter sum includes $19,494,037.49 for river and harbor improvements and $3,947,863.56 for fortifications and other works of defense. The appropriations for the current year aggregate $52,429,112.78, and the estimates submitted by the Secretary of War for the next fiscal year call for appropriations amounting to $52,318,629.55.

The skill and industry of our ordnance officers and inventors have, it is believed, overcome the mechanical obstacles which have heretofore delayed the armament of our coasts, and this great national undertaking upon which we have entered may now proceed as rapidly as Congress shall determine. With a supply of finished guns of large caliber already

on hand, to which additions should now rapidly follow, the wisdom of providing carriages and emplacements for their mount can not be too strongly urged.

The total enrollment of the militia of the several States is 117,533 officers and enlisted men, an increase of 5,343 over the number reported at the close of the previous year. The reports of militia inspections by Regular Army officers show a marked increase in interest and efficiency among the State organizations, and I strongly recommend a continuance of the policy of affording every practical encouragement possible to this important auxiliary of our military establishment.

The condition of the Apache Indians held as prisoners by the Government for eight years at a cost of half a million dollars has been changed during the year from captivity to one which gives them an opportunity to demonstrate their capacity for self-support and at least partial civilization. Legislation enacted at the late session of Congress gave the War Department authority to transfer the survivors, numbering 346, from Mount Vernon Barracks, in Alabama, to any suitable reservation. The Department selected as their future home the military lands near Fort Sill, Ind. T., where, under military surveillance, the former prisoners have been established in agriculture under conditions favorable to their advancement.

In recognition of the long and distinguished military services and faithful discharge of delicate and responsible civil duties by Major-General John M. Schofield, now the General Commanding the Army, it is suggested to Congress that the temporary revival of the grade of lieutenant-general in his behalf would be a just and gracious act and would permit his retirement, now near at hand, with rank befitting his merits.

The report of the Attorney-General notes the gratifying progress made by the Supreme Court in overcoming the arrears of its business and in reaching a condition in which it will be able to dispose of cases as they arise without any unreasonable delay. This result is of course very largely due to the successful working of the plan inaugurating circuit courts of appeals. In respect to these tribunals the suggestion is made in quarters entitled to the highest consideration that an additional circuit judge for each circuit would greatly strengthen these courts and the confidence reposed in their adjudications, and that such an addition would not create a greater force of judges than the increasing business of such courts requires. I commend the suggestion to the careful consideration of the Congress. Other important topics are adverted to in the report, accompanied by recommendations, many of which have been treated at large in previous messages, and at this time, therefore, need only be named. I refer to the abolition of the fee system as a measure of compensation to Federal officers; the enlargement of the powers of United States commissioners, at least in the Territories; the allowance of writs of error in criminal cases on behalf of the United States and

the establishment of degrees in the crime of murder. A topic dealt with by the Attorney-General of much importance is the condition of the administration of justice in the Indian Territory. The permanent solution of what is called the Indian problem is probably not to be expected at once, but meanwhile such ameliorations of present conditions as the existing system will admit of ought not to be neglected. I am satisfied there should be a Federal court established for the Territory, with sufficient judges, and that this court should sit within the Territory and have the same jurisdiction as to Territorial affairs as is now vested in the Federal courts sitting in Arkansas and Texas.

Another subject of pressing moment referred to by the Attorney-General is the reorganization of the Union Pacific Railway Company on a basis equitable as regards all private interests and as favorable to the Government as existing conditions will permit. The operation of a railroad by a court through a receiver is an anomalous state of things which should be terminated on all grounds, public and private, at the earliest possible moment. Besides, not to enact the needed enabling legislation at the present session postpones the whole matter until the assembling of a new Congress and inevitably increases all the complications of the situation, and could not but be regarded as a signal failure to solve a problem which has practically been before the present Congress ever since its organization.

Eight years ago in my annual message I urged upon the Congress as strongly as I could the location and construction of two prisons for the confinement of United States prisoners.* A similar recommendation has been made from time to time since, and a few years ago a law was passed providing for the selection of sites for three such institutions. No appropriation has, however, been made to carry the act into effect, and the old and discreditable condition still exists.

It is not my purpose at this time to repeat the considerations which make an impregnable case in favor of the ownership and management by the Government of the penal institutions in which Federal prisoners are confined. I simply desire to again urge former recommendations on the subject and to particularly call the attention of the Congress to that part of the report of the Secretary of War in which he states that the military prison at Fort Leavenworth, Kans., can be turned over to the Government as a prison for Federal convicts without the least difficulty and with an actual saving of money from every point of view.

Pending a more complete reform, I hope that by the adoption of the suggestion of the Secretary of War this easy step may be taken in the direction of the proper care of its convicts by the Government of the United States.

The report of the Postmaster-General presents a comprehensive statement of the operations of the Post-Office Department for the last fiscal year.

*See pp. 5102-5103.

The receipts of the Department during the year amounted to $75,080,479.04 and the expenditures to $84,324,414.15.

The transactions of the postal service indicate with barometric certainty the fluctuations in the business of the country. Inasmuch, therefore, as business complications continued to exist throughout the last year to an unforeseen extent, it is not surprising that the deficiency of revenue to meet the expenditures of the Post-Office Department, which was estimated in advance at about $8,000,000, should be exceeded by nearly $1,225,000. The ascertained revenues of the last year, which were the basis of calculation for the current year, being less than estimated, the deficiency for the current year will be correspondingly greater, though the Postmaster-General states that the latest indications are so favorable that he confidently predicts an increase of at least 8 per cent in the revenues of the current year over those of the last year.

The expenditures increase steadily and necessarily with the growth and needs of the country, so that the deficiency is greater or less in any year, depending upon the volume of receipts.

The Postmaster-General states that this deficiency is unnecessary and might be obviated at once if the law regulating rates upon mail matter of the second class was modified. The rate received for the transmission of this second-class matter is 1 cent per pound, while the cost of such transmission to the Government is eight times that amount. In the general terms of the law this rate covers newspapers and periodicals. The extensions of the meaning of these terms from time to time have admitted to the privileges intended for legitimate newspapers and periodicals a surprising range of publications and created abuses the cost of which amounts in the aggregate to the total deficiency of the Post-Office Department. Pretended newspapers are started by business houses for the mere purpose of advertising goods, complying with the law in form only and discontinuing the publications as soon as the period of advertising is over. "Sample copies" of pretended newspapers are issued in great numbers for a like purpose only. The result is a great loss of revenue to the Government, besides its humiliating use as an agency to aid in carrying out the scheme of a business house to advertise its goods by means of a trick upon both its rival houses and the regular and legitimate newspapers. Paper-covered literature, consisting mainly of trashy novels, to the extent of many thousands of tons is sent through the mails at 1 cent per pound, while the publishers of standard works are required to pay eight times that amount in sending their publications. Another abuse consists in the free carriage through the mails of hundreds of tons of seed and grain uselessly distributed through the Department of Agriculture. The Postmaster-General predicts that if the law be so amended as to eradicate these abuses not only will the Post-Office Department show no deficiency, but he believes that in the near future all legitimate newspapers and periodical magazines might be properly transmitted through

the mails to their subscribers free of cost. I invite your prompt consideration of this subject and fully indorse the views of the Postmaster-General.

The total number of post-offices in the United States on the 30th day of June, 1894, was 69,805, an increase of 1,403 over the preceding year. Of these, 3,428 were Presidential, an increase in that class of 68 over the preceding year.

Six hundred and ten cities and towns are provided with free delivery. Ninety-three other cities and towns entitled to this service under the law have not been accorded it on account of insufficient funds. The expense of free delivery for the current fiscal year will be more than $12,300,000, and under existing legislation this item of expenditure is subject to constant increase. The estimated cost of rural free delivery generally is so very large that it ought not to be considered in the present condition of affairs.

During the year 830 additional domestic money-order offices were established. The total number of these offices at the close of the year was 19,264. There were 14,304,041 money orders issued during the year, being an increase over the preceding year of 994,306. The value of these orders amounted to $138,793,579.49, an increase of $11,217,145.84. There were also issued during the year postal notes amounting to $12,649,094.55.

During the year 218 international money-order offices were added to those already established, making a total of 2,625 such offices in operation June 30, 1894. The number of international money orders issued during the year was 917,823, a decrease in number of 138,176, and their value was $13,792,455.31, a decrease in amount of $2,549,382.55. The number of orders paid was 361,180, an increase over the preceding year of 60,263, and their value was $6,568,493.78, an increase of $1,285,118.08.

From the foregoing statements it appears that the total issue of money orders and postal notes for the year amounted to $165,235,129.35.

The number of letters and packages mailed during the year for special delivery was 3,436,970. The special-delivery stamps used upon these letters and packages amounted to $343,697. The messengers' fees paid for their delivery amounted to $261,209.70, leaving a balance in favor of the Government of $82,487.30.

The report shows most gratifying results in the way of economies worked out without affecting the efficiency of the postal service. These consist in the abrogation of steamship subsidy contracts, reletting of mail transportation contracts, and in the cost and amount of supplies used in the service, amounting in all to $16,619,047.42.

This report also contains a valuable contribution to the history of the Universal Postal Union, an arrangement which amounts practically to the establishment of one postal system for the entire civilized world. Special attention is directed to this subject at this time in view of the

fact that the next congress of the union will meet in Washington in 1897, and it is hoped that timely action will be taken in the direction of perfecting preparations for that event.

The Postmaster-General renews the suggestion made in a previous report that the Department organization be increased to the extent of creating a direct district supervision of all postal affairs, and in this suggestion I fully concur.

There are now connected with the Post-Office establishment 32,561 employees who are in the classified service. This includes many who have been classified upon the suggestion of the Postmaster-General. He states that another year's experience at the head of the Department serves only to strengthen the conviction as to the excellent working of the civil-service law in this branch of the public service.

Attention is called to the report of the Secretary of the Navy, which shows very gratifying progress in the construction of ships for our new Navy. All the vessels now building, including the three torpedo boats authorized at the last session of Congress and excepting the first-class battle ship *Iowa*, will probably be completed during the coming fiscal year.

The estimates for the increase of the Navy for the year ending June 30, 1896, are large, but they include practically the entire sum necessary to complete and equip all the new ships not now in commission, so that unless new ships are authorized the appropriations for the naval service for the fiscal year ending June 30, 1897, should fall below the estimates for the coming year by at least $12,000,000.

The Secretary presents with much earnestness a plea for the authorization of three additional battle ships and ten or twelve torpedo boats. While the unarmored vessels heretofore authorized, including those now nearing completion, will constitute a fleet which it is believed is sufficient for ordinary cruising purposes in time of peace, we have now completed and in process of construction but four first-class battle ships and but few torpedo boats. If we are to have a navy for warlike operations, offensive and defensive, we certainly ought to increase both the number of battle ships and torpedo boats.

The manufacture of armor requires expensive plants and the aggregation of many skilled workmen. All the armor necessary to complete the vessels now building will be delivered before the 1st of June next. If no new contracts are given out, contractors must disband their workmen and their plants must lie idle. Battle ships authorized at this time would not be well under way until late in the coming fiscal year, and at least three years and a half from the date of the contract would be required for their completion. The Secretary states that not more than 15 per cent of the cost of such ships need be included in the appropriations for the coming year.

I recommend that provision be made for the construction of additional battle ships and torpedo boats.

The Secretary recommends the manufacture not only of a reserve

supply of ordnance and ordnance material for ships of the Navy, but also a supply for the auxiliary fleet. Guns and their appurtenances should be provided and kept on hand for both these purposes. We have not to-day a single gun that could be put upon the ships *Paris* or *New York* of the International Navigation Company or any other ship of our reserve Navy.

The manufacture of guns at the Washington Navy-Yard is proceeding satisfactorily, and none of our new ships will be required to wait for their guns or ordnance equipment.

An important order has been issued by the Secretary of the Navy coordinating the duties of the several bureaus concerned in the construction of ships. This order, it is believed, will secure to a greater extent than has heretofore been possible the harmonious action of these several bureaus and make the attainment of the best results more certain.

During the past fiscal year there has been an unusual and pressing demand in many quarters of the world for the presence of vessels to guard American interests.

In January last, during the Brazilian insurrection, a large fleet was concentrated in the harbor of Rio de Janeiro. The vigorous action of Rear-Admiral Benham in protecting the personal and commercial rights of our citizens during the disturbed conditions afforded results which will, it is believed, have a far-reaching and wholesome influence whenever in like circumstances it may become necessary for our naval commanders to interfere on behalf of our people in foreign ports.

The war now in progress between China and Japan has rendered it necessary or expedient to dispatch eight vessels to those waters.

Both the Secretary of the Navy and the Secretary of the Treasury recommend the transfer of the work of the Coast Survey proper to the Navy Department. I heartily concur in this recommendation. Excluding Alaska and a very small area besides, all the work of mapping and charting our coasts has been completed. The hydrographic work, which must be done over and over again by reason of the shifting and varying depths of water consequent upon the action of streams and tides, has heretofore been done under the direction of naval officers in subordination to the Superintendent of the Coast Survey. There seems to be no good reason why the Navy should not have entire charge hereafter of such work, especially as the Hydrographic Office of the Navy Department is now and has been for many years engaged in making efficient maps entirely similar to those prepared by the Coast Survey.

I feel it my imperative duty to call attention to the recommendation of the Secretary in regard to the personnel of the line of the Navy. The stagnation of promotion in this the vital branch of the service is so great as to seriously impair its efficiency.

I consider it of the utmost importance that the young and middle-aged officers should before the eve of retirement be permitted to reach a grade entitling them to active and important duty.

The system adopted a few years ago regulating the employment of labor at the navy-yards is rigidly upheld and has fully demonstrated its usefulness and expediency. It is within the domain of civil-service reform inasmuch as workmen are employed through a board of labor selected at each navy-yard and are given work without reference to politics and in the order of their application, preference, however, being given to Army and Navy veterans and those having former navy-yard experience.

Amendments suggested by experience have been made to the rules regulating the system. Through its operation the work at our navy-yards has been vastly improved in efficiency and the opportunity to work has been honestly and fairly awarded to willing and competent applicants.

It is hoped that if this system continues to be strictly adhered to there will soon be as a natural consequence such an equalization of party benefit as will remove all temptation to relax or abandon it.

The report of the Secretary of the Interior exhibits the situation of the numerous and interesting branches of the public service connected with his Department. I commend this report and the valuable recommendations of the Secretary to the careful attention of the Congress.

The public land disposed of during the year amounted to 10,406,100.77 acres, including 28,876.05 of Indian lands.

It is estimated that the public domain still remaining amounts to a little more than 600,000,000 acres, including, however, about 360,000,000 acres in Alaska, as well as military reservations and railroad and other selections of lands yet unadjudicated.

The total cash receipts from sale of lands amounted to $2,674,285.79, including $91,981.03 received for Indian lands.

Thirty-five thousand patents were issued for agricultural lands, and 3,100 patents were issued to Indians on allotments of their holdings in severalty, the land so allotted being inalienable by the Indian allottees for a period of twenty-five years after patent.

There were certified and patented on account of railroad and wagon-road grants during the year 865,556.45 acres of land, and at the close of the year 29,000,000 acres were embraced in the lists of selections made by railroad and wagon-road companies and awaited settlement.

The selections of swamp lands and that taken as indemnity therefor since the passage of the act providing for the same in 1849 amount to nearly or quite 80,500,000 acres, of which 58,000,000 have been patented to States. About 138,000 acres were patented during the last year. Nearly 820,000 acres of school and education grants were approved during the year, and at its close 1,250,363.81 acres remained unadjusted.

It appears that the appropriation for the current year on account of special service for the protection of the public lands and the timber thereon is much less than those for previous years, and inadequate for an efficient performance of the work. A larger sum of money than has been appropriated during a number of years past on this account has been

returned to the Government as a result of the labors of those employed in the particular service mentioned, and I hope it will not be crippled by insufficient appropriation.

I fully indorse the recommendation of the Secretary that adequate protection be provided for our forest reserves and that a comprehensive forestry system be inaugurated. Such keepers and superintendents as are necessary to protect the forests already reserved should be provided. I am of the opinion that there should be an abandonment of the policy sanctioned by present laws under which the Government, for a very small consideration, is rapidly losing title to immense tracts of land covered with timber, which should be properly reserved as permanent sources of timber supply.

The suggestion that a change be made in the manner of securing surveys of the public lands is especially worthy of consideration. I am satisfied that these surveys should be made by a corps of competent surveyors under the immediate control and direction of the Commissioner of the General Land Office.

An exceedingly important recommendation of the Secretary relates to the manner in which contests and litigated cases growing out of efforts to obtain Government land are determined. The entire testimony upon which these controversies depend in all their stages is taken before the local registers and receivers, and yet these officers have no power to subpœna witnesses or to enforce their attendance to testify. These cases, numbering three or four thousand annually, are sent by the local officers to the Commissioner of the General Land Office for his action. The exigencies of his other duties oblige him to act upon the decisions of the registers and receivers without an opportunity of thorough personal examination. Nearly 2,000 of these cases are appealed annually from the Commissioner to the Secretary of the Interior. Burdened with other important administrative duties, his determination of these appeals must be almost perfunctory and based upon the examination of others, though this determination of the Secretary operates as a final adjudication upon rights of very great importance.

I concur in the opinion that the Commissioner of the General Land Office should be relieved from the duty of deciding litigated land cases, that a nonpartisan court should be created to pass on such cases, and that the decisions of this court should be final, at least so far as the decisions of the Department are now final. The proposed court might be given authority to certify questions of law in matters of especial importance to the Supreme Court of the United States or the court of appeals for the District of Columbia for decision. The creation of such a tribunal would expedite the disposal of cases and insure decisions of a more satisfactory character. The registers and receivers who originally hear and decide these disputes should be invested with authority to compel witnesses to attend and testify before them.

Though the condition of the Indians shows a steady and healthy progress, their situation is not satisfactory at all points. Some of them to whom allotments of land have been made are found to be unable or disinclined to follow agricultural pursuits or to otherwise beneficially manage their land. This is especially true of the Cheyennes and Arapahoes, who, as it appears by reports of their agent, have in many instances never been located upon their allotments, and in some cases do not even know where their allotments are. Their condition has deteriorated. They are not self-supporting and they live in camps and spend their time in idleness.

I have always believed that allotments of reservation lands to Indians in severalty should be made sparingly, or at least slowly, and with the utmost caution. In these days, when white agriculturists and stock raisers of experience and intelligence find their lot a hard one, we ought not to expect Indians, unless far advanced in civilization and habits of industry, to support themselves on the small tracts of land usually allotted to them.

If the self-supporting scheme by allotment fails, the wretched pauperism of the allottees which results is worse than their original condition of regulated dependence. It is evident that the evil consequences of ill-advised allotment are intensified in cases where the false step can not be retraced on account of the purchase by the Government of reservation lands remaining after allotments are made and the disposition of such remaining lands to settlers or purchasers from the Government.

I am convinced that the proper solution of the Indian problem and the success of every step taken in that direction depend to a very large extent upon the intelligence and honesty of the reservation agents and the interest they have in their work. An agent fitted for his place can do much toward preparing the Indians under his charge for citizenship and allotment of their lands, and his advice as to any matter concerning their welfare will not mislead. An unfit agent will make no effort to advance the Indians on his reservation toward civilization or preparation for allotment of lands in severalty, and his opinion as to their condition in this and other regards is heedless and valueless.

The indications are that the detail of army officers as Indian agents will result in improved management on the reservations.

Whenever allotments are made and any Indian on the reservation has previously settled upon a lot and cultivated it or shown a disposition to improve it in any way, such lot should certainly be allotted to him, and this should be made plainly obligatory by statute.

In the light of experience and considering the uncertainty of the Indian situation and its exigencies in the future, I am not only disposed to be very cautious in making allotments, but I incline to agree with the Secretary of the Interior in the opinion that when allotments are made the balance of reservation land remaining after allotment, instead of being bought by the Government from the Indians and opened for settlement

with such scandals and unfair practices as seem unavoidable, should remain for a time at least as common land or be sold by the Government on behalf of the Indians in an orderly way and at fixed prices, to be determined by its location and desirability, and that the proceeds, less expenses, should be held in trust for the benefit of the Indian proprietors.

The intelligent Indian-school management of the past year has been followed by gratifying results. Efforts have been made to advance the work in a sound and practical manner. Five institutes of Indian teachers have been held during the year, and have proved very beneficial through the views exchanged and methods discussed particularly applicable to Indian education.

Efforts are being made in the direction of a gradual reduction of the number of Indian contract schools, so that in a comparatively short time they may give way altogether to Government schools, and it is hoped that the change may be so gradual as to be perfected without too great expense to the Government or undue disregard of investments made by those who have established and are maintaining such contract schools.

The appropriation for the current year, ending June 30, 1895, applicable to the ordinary expenses of the Indian service amounts to $6,733,003.18, being less by $663,240.64 than the sum appropriated on the same account for the previous year.

At the close of the last fiscal year, on the 30th day of June, 1894, there were 969,544 persons on our pension rolls, being a net increase of 3,532 over the number reported at the end of the previous year.

These pensioners may be classified as follows: Soldiers and sailors survivors of all wars, 753,968; widows and relatives of deceased soldiers, 215,162; army nurses in the War of the Rebellion, 414. Of these pensioners 32,039 are surviving soldiers of Indian and other wars prior to the late Civil War and the widows or relatives of such soldiers.

The remainder, numbering 937,505, are receiving pensions on account of the rebellion, and of these 469,344 are on the rolls under the authority of the act of June 27, 1890, sometimes called the dependent-pension law.

The total amount expended for pensions during the year was $139,804,461.05, leaving an unexpended balance from the sum appropriated of $25,205,712.65.

The sum necessary to meet pension expenditures for the year ending June 30, 1896, is estimated at $140,000,000.

The Commissioner of Pensions is of the opinion that the year 1895, being the thirtieth after the close of the War of the Rebellion, must, according to all sensible human calculation, see the highest limit of the pension roll, and that after that year it must begin to decline.

The claims pending in the Bureau have decreased more than 90,000 during the year. A large proportion of the new claims filed are for increase of pension by those now on the rolls.

The number of certificates issued was 80,213.

The names dropped from the rolls for all causes during the year numbered 37,951.

Among our pensioners are 9 widows and 3 daughters of soldiers of the Revolution and 45 survivors of the War of 1812.

The barefaced and extensive pension frauds exposed under the direction of the courageous and generous veteran soldier now at the head of the Bureau leave no room for the claim that no purgation of our pension rolls was needed or that continued vigilance and prompt action are not necessary to the same end.

The accusation that an effort to detect pension frauds is evidence of unfriendliness toward our worthy veterans and a denial of their claims to the generosity of the Government suggests an unfortunate indifference to the commission of any offense which has for its motive the securing of a pension and indicates a willingness to be blind to the existence of mean and treacherous crimes which play upon demagogic fears and make sport of the patriotic impulse of a grateful people.

The completion of the Eleventh Census is now in charge of the Commissioner of Labor. The total disbursements on account of the work for the fiscal year ending June 30, 1894, amounted to $10,365,676.81. At the close of the year the number of persons employed in the Census Office was 679; at present there are about 400. The whole number of volumes necessary to comprehend the Eleventh Census will be 25, and they will contain 22,270 printed pages. The assurance is confidently made that before the close of the present calendar year the material still incomplete will be practically in hand, and the census can certainly be closed by the 4th of March, 1895. After that the revision and proof reading necessary to bring out the volumes will still be required.

The text of the census volumes has been limited as far as possible to the analysis of the statistics presented. This method, which is in accordance with law, has caused more or less friction and in some instances individual disappointment, for when the Commissioner of Labor took charge of the work he found much matter on hand which according to this rule he was compelled to discard. The census is being prepared according to the theory that it is designed to collect facts and certify them to the public, not to elaborate arguments or to present personal views.

The Secretary of Agriculture in his report reviews the operations of his Department for the last fiscal year and makes recommendations for the further extension of its usefulness. He reports a saving in expenditures during the year of $600,000, which is covered back into the Treasury. This sum is 23 per cent of the entire appropriation.

A special study has been made of the demand for American farm products in all foreign markets, especially Great Britain. That country received from the United States during the nine months ending September 30, 1894, 305,910 live beef cattle, valued at $26,500,000, as against 182,611 cattle, valued at $16,634,000, during the same period for 1893.

During the first six months of 1894 the United Kingdom took also 112,000,000 pounds of dressed beef from the United States, valued at nearly $10,000,000.

The report shows that during the nine months immediately preceding September 30, 1894, the United States exported to Great Britain 222,676,000 pounds of pork; of apples, 1,900,000 bushels, valued at $2,500,000, and of horses 2,811, at an average value of $139 per head. There was a falling off in American wheat exports of 13,500,000 bushels, and the Secretary is inclined to believe that wheat may not in the future be the staple export cereal product of our country, but that corn will continue to advance in importance as an export on account of the new uses to which it is constantly being appropriated.

The exports of agricultural products from the United States for the fiscal year ending June 30, 1894, amounted to $628,363,038, being 72.28 per cent of American exports of every description, and the United Kingdom of Great Britain took more than 54 per cent of all farm products finding foreign markets.

The Department of Agriculture has undertaken during the year two new and important lines of research. The first relates to grasses and forage plants, with the purpose of instructing and familiarizing the people as to the distinctive grasses of the United States and teaching them how to introduce valuable foreign forage plants which may be adapted to this country. The second relates to agricultural soils and crop production, involving the analyses of samples of soils from all sections of the American Union, to demonstrate their adaptability to particular plants and crops. Mechanical analyses of soils may be of such inestimable utility that it is foremost in the new lines of agricultural research, and the Secretary therefore recommends that a division having it in charge be permanently established in the Department.

The amount appropriated for the Weather Bureau was $951,100. Of that sum $138,500, or 14 per cent, has been saved and is returned to the Treasury.

As illustrating the usefulness of this service it may be here stated that the warnings which were very generally given of two tropical storms occurring in September and October of the present year resulted in detaining safely in port 2,305 vessels, valued at $36,283,913, laden with cargoes of probably still greater value. What is much more important and gratifying, many human lives on these ships were also undoubtedly saved.

The appropriation to the Bureau of Animal Industry was $850,000, and the expenditures for the year were only $495,429.24, thus leaving unexpended $354,570.76. The inspection of beef animals for export and interstate trade has been continued, and 12,944,056 head were inspected during the year, at a cost of 1¾ cents per head, against 4¾ cents for 1893. The amount of pork microscopically examined was 35,437,937

pounds, against 20,677,410 pounds in the preceding year. The cost of this inspection has been diminished from 8¾ cents per head in 1893 to 6½ cents in 1894.

The expense of inspecting the pork sold in 1894 to Germany and France by the United States was $88,922.10. The quantity inspected was greater by 15,000,000 pounds than during the preceding year, when the cost of such inspection was $172,367.08. The Secretary of Agriculture recommends that the law providing for the microscopic inspection of export and interstate meat be so amended as to compel owners of the meat inspected to pay the cost of such inspection, and I call attention to the arguments presented in his report in support of this recommendation.

The live beef cattle exported and tagged during the year numbered 353,535. This is an increase of 69,533 head over the previous year.

The sanitary inspection of cattle shipped to Europe has cost an average of 10¾ cents for each animal, and the cost of inspecting Southern cattle and the disinfection of cars and stock yards averages 2.7 cents per animal.

The scientific inquiries of the Bureau of Animal Industry have progressed steadily during the year. Much tuberculin and mallein have been furnished to State authorities for use in the agricultural colleges and experiment stations for the treatment of tuberculosis and glanders.

Quite recently this Department has published the results of its investigations of bovine tuberculosis, and its researches will be vigorously continued. Certain herds in the District of Columbia will be thoroughly inspected and will probably supply adequate scope for the Department to intelligently prosecute its scientific work and furnish sufficient material for purposes of illustration, description, and definition.

The sterilization of milk suspected of containing the bacilli of tuberculosis has been during the year very thoroughly explained in a leaflet by Dr. D. E. Salmon, the Chief of the Bureau, and given general circulation throughout the country.

The Office of Experiment Stations, which is a part of the United States Department of Agriculture, has during the past year engaged itself almost wholly in preparing for publication works based upon the reports of agricultural experiment stations and other institutions for agricultural inquiry in the United States and foreign countries.

The Secretary in his report for 1893 called attention to the fact that the appropriations made for the support of the experiment stations throughout the Union were the only moneys taken out of the National Treasury by act of Congress for which no accounting to Federal authorities was required. Responding to this suggestion, the Fifty-third Congress, in making the appropriation for the Department for the present fiscal year, provided that—

The Secretary of Agriculture shall prescribe the form of annual financial statement required by section 3 of said act of March 2, 1887; shall ascertain whether the

expenditures under the appropriation hereby made are in accordance with the provisions of said act, and shall make report thereon to Congress.

In obedience to this law the Department of Agriculture immediately sent out blank forms of expense accounts to each station, and proposes in addition to make, through trusted experts, systematic examination of the several stations during each year for the purpose of acquiring by personal investigation the detailed information necessary to enable the Secretary of Agriculture to make, as the statute provides, a satisfactory report to Congress. The boards of management of the several stations with great alacrity and cordiality have approved the amendment to the law providing this supervision of their expenditures, anticipating that it will increase the efficiency of the stations and protect their directors and managers from loose charges concerning their use of public funds, besides bringing the Department of Agriculture into closer and more confidential relations with the experimental stations, and through their joint service largely increasing their usefulness to the agriculture of the country.

Acting upon a recommendation contained in the report of 1893, Congress appropriated $10,000 "to enable the Secretary of Agriculture to investigate and report upon the nutritive value of the various articles and commodities used for human food, with special suggestions of full, wholesome, and edible rations less wasteful and more economical than those in common use."

Under this appropriation the Department has prepared and now has nearly ready for distribution an elementary discussion of the nutritive value and pecuniary economy of food. When we consider that fully one-half of all the money earned by the wage earners of the civilized world is expended by them for food, the importance and utility of such an investigation is apparent.

The Department expended in the fiscal year 1893 $2,354,809.56, and out of that sum the total amount expended in scientific research was 45.6 per cent. But in the year ending June 30, 1894, out of a total expenditure of $1,948,988.38, the Department applied 51.8 per cent of that sum to scientific work and investigation. It is therefore very plainly observable that the economies which have been practiced in the administration of the Department have not been at the expense of scientific research.

The recommendation contained in the report of the Secretary for 1893 that the vicious system of promiscuous free distribution of its departmental documents be abandoned is again urged. These publications may well be furnished without cost to public libraries, educational institutions, and the officers and libraries of States and of the Federal Government; but from all individuals applying for them a price covering the cost of the document asked for should be required. Thus the publications and documents would be secured by those who really desire them for proper purposes. Half a million of copies of the report of the

Secretary of Agriculture are printed for distribution, at an annual cost of about $300,000. Large numbers of them are cumbering storerooms at the Capitol and the shelves of secondhand-book stores throughout the country. All this labor and waste might be avoided if the recommendations of the Secretary were adopted.

The Secretary also again recommends that the gratuitous distribution of seeds cease and that no money be appropriated for that purpose except to experiment stations. He reiterates the reasons given in his report for 1893 for discontinuing this unjustifiable gratuity, and I fully concur in the conclusions which he has reached.

The best service of the statistician of the Department of Agriculture is the ascertainment, by diligence and care, of the actual and real conditions, favorable or unfavorable, of the farmers and farms of the country, and to seek the causes which produce these conditions, to the end that the facts ascertained may guide their intelligent treatment.

A further important utility in agricultural statistics is found in their elucidation of the relation of the supply of farm products to the demand for them in the markets of the United States and of the world.

It is deemed possible that an agricultural census may be taken each year through the agents of the statistical division of the Department. Such a course is commended for trial by the chief of that division. Its scope would be:

(1) The area under each of the more important crops.

(2) The aggregate products of each of such crops.

(3) The quantity of wheat and corn in the hands of farmers at a date after the spring sowings and plantings and before the beginning of harvest, and also the quantity of cotton and tobacco remaining in the hands of planters, either at the same date or at some other designated time.

The cost of the work is estimated at $500,000.

Owing to the peculiar quality of the statistician's work and the natural and acquired fitness necessary to its successful prosecution, the Secretary of Agriculture expresses the opinion that every person employed in gathering statistics under the chief of that division should be admitted to that service only after a thorough, exhaustive, and successful examination at the hands of the United States Civil Service Commission. This has led him to call for such examination of candidates for the position of assistant statisticians, and also of candidates for chiefs of sections in that division.

The work done by the Department of Agriculture is very superficially dealt with in this communication, and I commend the report of the Secretary and the very important interests with which it deals to the careful attention of the Congress.

The advantages to the public service of an adherence to the principles of civil-service reform are constantly more apparent, and nothing is so encouraging to those in official life who honestly desire good government as the increasing appreciation by our people of these advantages. A vast

By the President of the United States of America.

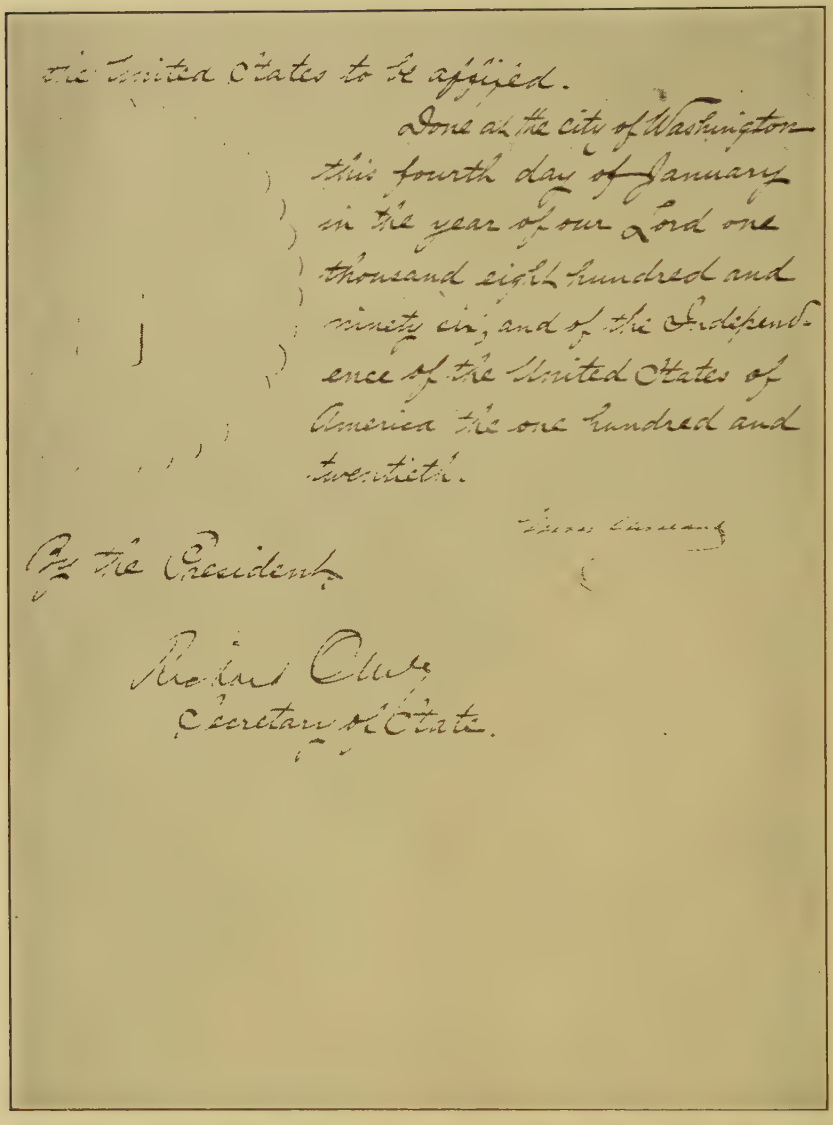
A Proclamation.

Whereas: The Congress of the United States passed an act which was approved on the sixteenth day of July, eighteen hundred and ninety four, entitled "An Act to enable the people of Utah to form a Constitution and State Government and to be admitted into the Union on an equal footing with the original States," which Act provided for the election of delegates to a Constitutional Convention to meet at the seat of government of the Territory of Utah, on the first Monday in March eighteen hundred and ninety-six, for the purpose of declaring the adoption of the Constitution of the United States by the people of the proposed State and forming a Constitution and State government for such State;

And whereas, delegates were accordingly elected who met, organized and declared on behalf of the people of said proposed State their adoption of the Constitution of the United States, all as provided in said Act;

And whereas, said Convention, so organized, did, by ordinance irrevocable without the consent of the United States and the people of said State, as required

CLEVELAND'S PROCLAMATION ADMITTING UTAH TO THE UNION OF STATES.


the United States to be affixed.

Done at the city of Washington this fourth day of January in the year of our Lord one thousand eight hundred and ninety six, and of the Independence of the United States of America the one hundred and twentieth.

By the President.

Richard Olney
Secretary of State.

LAST PAGE AND SIGNATURES OF CLEVELAND AND SECRETARY OLNEY TO A DOCUMENT OF STATE.

majority of the voters of the land are ready to insist that the time and attention of those they select to perform for them important public duties should not be distracted by doling out minor offices, and they are growing to be unanimous in regarding party organization as something that should be used in establishing party principles instead of dictating the distribution of public places as rewards of partisan activity.

Numerous additional offices and places have lately been brought within civil-service rules and regulations, and some others will probably soon be included.

The report of the Commissioners will be submitted to the Congress, and I invite careful attention to the recommendations it contains.

I am entirely convinced that we ought not to be longer without a national board of health or national health officer charged with no other duties than such as pertain to the protection of our country from the invasion of pestilence and disease. This would involve the establishment by such board or officer of proper quarantine precautions, or the necessary aid and counsel to local authorities on the subject; prompt advice and assistance to local boards of health or health officers in the suppression of contagious disease, and in cases where there are no such local boards or officers the immediate direction by the national board or officer of measures of suppression; constant and authentic information concerning the health of foreign countries and all parts of our own country as related to contagious diseases, and consideration of regulations to be enforced in foreign ports to prevent the introduction of contagion into our cities and the measures which should be adopted to secure their enforcement.

There seems to be at this time a decided inclination to discuss measures of protection against contagious diseases in international conference, with a view of adopting means of mutual assistance. The creation of such a national health establishment would greatly aid our standing in such conferences and improve our opportunities to avail ourselves of their benefits.

I earnestly recommend the inauguration of a national board of health or similar national instrumentality, believing the same to be a needed precaution against contagious disease and in the interest of the safety and health of our people.

By virtue of a statute of the United States passed in 1888 I appointed in July last Hon. John D. Kernan, of the State of New York, and Hon. Nicholas E. Worthington, of the State of Illinois, to form, with Hon. Carroll D. Wright, Commissioner of Labor, who was designated by said statute, a commission for the purpose of making careful inquiry into the causes of the controversies between certain railroads and their employees which had resulted in an extensive and destructive strike, accompanied by much violence and dangerous disturbance, with considerable loss of life and great destruction of property.

The report of the commissioners has been submitted to me and will be transmitted to the Congress with the evidence taken upon their investigation.

Their work has been well done, and their standing and intelligence give assurance that the report and suggestions they make are worthy of careful consideration.

The tariff act passed at the last session of the Congress needs important amendments if it is to be executed effectively and with certainty. In addition to such necessary amendments as will not change rates of duty, I am still very decidedly in favor of putting coal and iron upon the free list.

So far as the sugar schedule is concerned, I would be glad, under existing aggravations, to see every particle of differential duty in favor of refined sugar stricken out of our tariff law. If with all the favor now accorded the sugar-refining interest in our tariff laws it still languishes to the extent of closed refineries and thousands of discharged workmen, it would seem to present a hopeless case for reasonable legislative aid. Whatever else is done or omitted, I earnestly repeat here the recommendation I have made in another portion of this communication, that the additional duty of one-tenth of a cent per pound laid upon sugar imported from countries paying a bounty on its export be abrogated. It seems to me that exceedingly important considerations point to the propriety of this amendment.

With the advent of a new tariff policy not only calculated to relieve the consumers of our land in the cost of their daily life, but to invite a better development of American thrift and create for us closer and more profitable commercial relations with the rest of the world, it follows as a logical and imperative necessity that we should at once remove the chief if not the only obstacle which has so long prevented our participation in the foreign carrying trade of the sea. A tariff built upon the theory that it is well to check imports and that a home market should bound the industry and effort of American producers was fitly supplemented by a refusal to allow American registry to vessels built abroad, though owned and navigated by our people, thus exhibiting a willingness to abandon all contest for the advantages of American transoceanic carriage. Our new tariff policy, built upon the theory that it is well to encourage such importations as our people need, and that our products and manufactures should find markets in every part of the habitable globe, is consistently supplemented by the greatest possible liberty to our citizens in the ownership and navigation of ships in which our products and manufactures may be transported. The millions now paid to foreigners for carrying American passengers and products across the sea should be turned into American hands. Shipbuilding, which has been protected to strangulation, should be revived by the prospect of profitable employment for ships when built, and the American sailor should be resurrected and

again take his place—a sturdy and industrious citizen in time of peace and a patriotic and safe defender of American interests in the day of conflict.

The ancient provision of our law denying American registry to ships built abroad and owned by Americans appears in the light of present conditions not only to be a failure for good at every point, but to be nearer a relic of barbarism than anything that exists under the permission of a statute of the United States. I earnestly recommend its prompt repeal.

During the last month the gold reserved in the Treasury for the purpose of redeeming the notes of the Government circulating as money in the hands of the people became so reduced and its further depletion in the near future seemed so certain that in the exercise of proper care for the public welfare it became necessary to replenish this reserve and thus maintain popular faith in the ability and determination of the Government to meet as agreed its pecuniary obligations.

It would have been well if in this emergency authority had existed to issue the bonds of the Government bearing a low rate of interest and maturing within a short period; but the Congress having failed to confer such authority, resort was necessarily had to the resumption act of 1875, and pursuant to its provisions bonds were issued drawing interest at the rate of 5 per cent per annum and maturing ten years after their issue, that being the shortest time authorized by the act. I am glad to say, however, that on the sale of these bonds the premium received operated to reduce the rate of interest to be paid by the Government to less than 3 per cent.

Nothing could be worse or further removed from sensible finance than the relations existing between the currency the Government has issued, the gold held for its redemption, and the means which must be resorted to for the purpose of replenishing such redemption fund when impaired. Even if the claims upon this fund were confined to the obligations originally intended and if the redemption of these obligations meant their cancellation, the fund would be very small. But these obligations when received and redeemed in gold are not canceled, but are reissued and may do duty many times by way of drawing gold from the Treasury. Thus we have an endless chain in operation constantly depleting the Treasury's gold and never near a final rest. As if this was not bad enough, we have, by a statutory declaration that it is the policy of the Government to maintain the parity between gold and silver, aided the force and momentum of this exhausting process and added largely to the currency obligations claiming this peculiar gold redemption. Our small gold reserve is thus subject to drain from every side. The demands that increase our danger also increase the necessity of protecting this reserve against depletion, and it is most unsatisfactory to know that the protection afforded is only a temporary palliation.

It is perfectly and palpably plain that the only way under present conditions by which this reserve when dangerously depleted can be replenished is through the issue and sale of the bonds of the Government for gold, and yet Congress has not only thus far declined to authorize the issue of bonds best suited to such a purpose, but there seems a disposition in some quarters to deny both the necessity and power for the issue of bonds at all.

I can not for a moment believe that any of our citizens are deliberately willing that their Government should default in its pecuniary obligations or that its financial operations should be reduced to a silver basis. At any rate, I should not feel that my duty was done if I omitted any effort I could make to avert such a calamity. As long, therefore, as no provision is made for the final redemption or the putting aside of the currency obligation now used to repeatedly and constantly draw from the Government its gold, and as long as no better authority for bond issues is allowed than at present exists, such authority will be utilized whenever and as often as it becomes necessary to maintain a sufficient gold reserve, and in abundant time to save the credit of our country and make good the financial declarations of our Government.

Questions relating to our banks and currency are closely connected with the subject just referred to, and they also present some unsatisfactory features. Prominent among them are the lack of elasticity in our currency circulation and its frequent concentration in financial centers when it is most needed in other parts of the country.

The absolute divorcement of the Government from the business of banking is the ideal relationship of the Government to the circulation of the currency of the country.

This condition can not be immediately reached, but as a step in that direction and as a means of securing a more elastic currency and obviating other objections to the present arrangement of bank circulation the Secretary of the Treasury presents in his report a scheme modifying present banking laws and providing for the issue of circulating notes by State banks free from taxation under certain limitations.

The Secretary explains his plan so plainly and its advantages are developed by him with such remarkable clearness that any effort on my part to present argument in its support would be superfluous. I shall therefore content myself with an unqualified indorsement of the Secretary's proposed changes in the law and a brief and imperfect statement of their prominent features.

It is proposed to repeal all laws providing for the deposit of United States bonds as security for circulation; to permit national banks to issue circulating notes not exceeding in amount 75 per cent of their paid-up and unimpaired capital, provided they deposit with the Government as a guaranty fund, in United States legal-tender notes, including Treasury notes of 1890, a sum equal in amount to 30 per cent of the notes they

desire to issue, this deposit to be maintained at all times, but whenever any bank retires any part of its circulation a proportional part of its guaranty fund shall be returned to it; to permit the Secretary of the Treasury to prepare and keep on hand ready for issue in case an increase in circulation is desired blank national-bank notes for each bank having circulation and to repeal the provisions of the present law imposing limitations and restrictions upon banks desiring to reduce or increase their circulation, thus permitting such increase or reduction within the limit of 75 per cent of capital to be quickly made as emergencies arise.

In addition to the guaranty fund required, it is proposed to provide a safety fund for the immediate redemption of the circulating notes of failed banks by imposing a small annual tax, say one-half of 1 per cent, upon the average circulation of each bank until the fund amounts to 5 per cent of the total circulation outstanding. When a bank fails its guaranty fund is to be paid into this safety fund and its notes are to be redeemed in the first instance from such safety fund thus augmented, any impairment of such fund caused thereby to be made good from the immediately available cash assets of said bank, and if these should be insufficient such impairment to be made good by *pro rata* assessment among the other banks, their contributions constituting a first lien upon the assets of the failed bank in favor of the contributing banks. As a further security it is contemplated that the existing provision fixing the individual liability of stockholders is to be retained and the bank's indebtedness on account of its circulating notes is to be made a first lien on all its assets.

For the purpose of meeting the expense of printing notes, official supervision, cancellation, and other like charges there shall be imposed a tax of say one-half of 1 per cent per annum upon the average amount of notes in circulation.

It is further provided that there shall be no national-bank notes issued of a less denomination than $10; that each national bank, except in case of a failed bank, shall redeem or retire its notes in the first instance at its own office or at agencies to be designated by it, and that no fixed reserve need be maintained on account of deposits.

Another very important feature of this plan is the exemption of State banks from taxation by the United States in cases where it is shown to the satisfaction of the Secretary of the Treasury and Comptroller of the Currency by banks claiming such exemption that they have not had outstanding their circulating notes exceeding 75 per cent of their paid-up and unimpaired capital; that their stockholders are individually liable for the redemption of their circulating notes to the full extent of their ownership of stock; that the liability of said banks upon their circulating notes constitutes under their State law a first lien upon their assets; that such banks have kept and maintained a guaranty fund in United States legal-tender notes, including Treasury notes of 1890, equal to 30 per cent of their outstanding circulating notes, and that such banks have promptly

redeemed their circulating notes when presented at their principal or branch offices.

It is quite likely that this scheme may be usefully amended in some of its details, but I am satisfied it furnishes a basis for a very great improvement in our present banking and currency system.

I conclude this communication fully appreciating that the responsibility for all legislation affecting the people of the United States rests upon their representatives in the Congress, and assuring them that, whether in accordance with recommendations I have made or not, I shall be glad to cooperate in perfecting any legislation that tends to the prosperity and welfare of our country.

GROVER CLEVELAND.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 6, 1894.*

To the Senate of the United States:

In compliance with the resolution of the Senate of the 24th of July, 1894, directing the Secretary of State to furnish copies of all papers, correspondence, diplomatic or otherwise, on file in the State Department in connection with the arrest and imprisonment at Arequipa, Peru, of Victor H. McCord, I transmit herewith the correspondence indicated.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 10, 1894.

To the Congress of the United States:

I transmit herewith a communication from the Secretary of State, inclosing the report, with accompanying papers, of the commission of the United States for the Columbian Historical Exposition in Madrid in 1892 and 1893, constituted in virtue of the act of Congress approved May 13, 1892.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 10, 1894.*

To the Senate and House of Representatives:

I transmit herewith the report on the Chicago strike of June and July, 1894, forwarded to me by the Strike Commission appointed July 26, 1894, under the provisions of section 6 of chapter 1063 of the laws of the United States, passed October 1, 1888.

The testimony taken by the commission and the suggestions and recommendations made to it accompany the report in the form of appendixes.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 11, 1894.

To the Senate of the United States:

In response to the resolution of the Senate dated December 6, 1894, requesting that copies of correspondence in regard to the claim of Antonio Maximo Mora against the Government of Spain exchanged since my last message to the Senate on the same subject, dated June 20, 1894,* be communicated to it, if not incompatible with the public interests, I transmit herewith the report of the Secretary of State on the matter, with accompanying copies of correspondence.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 11, 1894.*

To the Senate of the United States:

I have received a copy of the following resolution of the Senate, passed on 3d instant:

Resolved, That the President be requested, if in his judgment it be not incompatible with the public interest, to communicate to the Senate any information he may have received in regard to alleged cruelties committed upon Armenians in Turkey, and especially whether any such cruelties have been committed upon citizens who have declared their intention to become naturalized in this country or upon persons because of their being Christians.

And further, to inform the Senate whether any expostulations have been addressed by this Government to the Government of Turkey in regard to such matters or any proposals made by or to this Government to act in concert with other Christian powers regarding the same.

In response to said resolution I beg leave to inform the Senate that I have no information concerning cruelties committed upon Armenians in Turkey or upon persons because of their being Christians, except such information as has been derived from newspapers and statements emanating from the Turkish Government denying such cruelties and two telegraphic reports from our minister at Constantinople.

One of these reports, dated November 28, 1894, is in answer to an inquiry by the State Department touching reports in the press alleging the killing of Armenians, and is as follows:

Reports in American papers of Turkish atrocities at Sassoun are sensational and exaggerated. The killing was in a conflict between armed Armenians and Turkish soldiers. The grand vizier says it was necessary to suppress insurrection, and that about fifty Turks were killed; between three and four hundred Armenian guns were picked up after the fight, and reports that about that number of Armenians were killed. I give credit to his statement.

The other dispatch referred to is dated December 2, 1894, and is as follows:

Information from British ambassador indicates far more loss of lives in Armenia, attended with atrocities, than stated in my telegram of 28th.

*See p. 5912.

I have received absolutely no information concerning any cruelties committed "upon citizens who have declared their intention to become naturalized in this country," or upon any persons who had a right to claim or have claimed for any reason the protection of the United States Government.

In the absence of such authentic detailed knowledge on the subject as would justify our interference no "expostulations have been addressed by this Government to the Government of Turkey in regard to such matters."

The last inquiry contained in the resolution of the Senate touching these alleged cruelties seeks information concerning "any proposals made by or to this Government to act in concert with other Christian powers regarding the same."

The first proposal of the kind referred to was made by the Turkish Government through our minister on the 30th day of November, when the Sultan then expressed a desire that a consul of the United States be sent with a Turkish commission to investigate these alleged atrocities on Armenians. This was construed as an invitation on the part of the Turkish Government to actually take part with a Turkish commission in an investigation of these affairs and any report to be made thereon, and the proposition came before our minister's second dispatch was received and at a time when the best information in the possession of our Government was derived from his first report, indicating that the statements made in the press were sensational and exaggerated and that the atrocities alleged really did not exist. This condition very much weakened any motive for an interference based on considerations of humanity, and permitted us without embarrassment to pursue a course plainly marked out by other controlling incidents.

By a treaty entered into at Berlin in the year 1878 between Turkey and various other governments Turkey undertook to guarantee protection to the Armenians, and agreed that it would "periodically make known the steps taken to this effect to the powers, who will superintend their application."

Our Government was not a party to this treaty, and it is entirely obvious that in the face of the provisions of such treaty above recited our interference in the proposed investigation, especially without the invitation of any of the powers which had assumed by treaty obligations to secure the protection of these Armenians, might have been exceedingly embarrassing, if not entirely beyond the limits of justification or propriety.

The Turkish invitation to join the investigation set on foot by that Government was therefore, on the 2d day of December, declined. On the same day, and after this declination had been sent, our minister at Constantinople forwarded his second dispatch, tending to modify his former report as to the extent and character of Armenian slaughter. At the same time the request of the Sultan for our participation in the

investigation was repeated, and Great Britain, one of the powers which joined in the treaty of Berlin, made a like request.

In view of changed conditions and upon reconsideration of the subject it was determined to send Mr. Jewett, our consul at Sivas, to the scene of the alleged outrages, not for the purpose of joining with any other government in an investigation and report, but to the end that he might be able to inform this Government as to the exact truth.

Instructions to this effect were sent to Mr. Jewett, and it is supposed he has already entered upon the duty assigned him.

I submit with this communication copies of all correspondence and dispatches in the State Department on this subject and the report to me of the Secretary of State thereon.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 3, 1895.

To the Senate of the United States:

In response to the resolution of the Senate of the 4th ultimo, requesting "any reports or correspondence relating to affairs at Bluefields, in the Mosquito territory," and also information as to "whether any American citizens have been arrested or the rights of any American citizens at Bluefields have been interfered with during the past two years by the Government of Nicaragua," I transmit herewith a report from the Secretary of State, with accompanying papers.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 9, 1895.*

To the Senate and House of Representatives:

I submit herewith certain dispatches from our minister at Hawaii and the documents which accompanied the same.

They disclose the fact that the Hawaiian Government desires to lease to Great Britain one of the uninhabited islands belonging to Hawaii as a station for a submarine telegraph cable to be laid from Canada to Australia, with a connection between the island leased and Honolulu.

Both the Hawaiian Government and the representatives of Great Britain in this negotiation concede that the proposed lease can not be effected without the consent of the United States, for the reason that in our reciprocity treaty with the King of Hawaii he agreed that as long as said treaty remained in force he would not "lease or otherwise dispose of or create any lien upon any port, harbor, or other territory in his dominion, or grant any special privilege or right of use therein, to any other power, state, or government."

At the request of the Hawaiian Government this subject is laid before the Congress for its determination upon the question of so modifying the treaty agreement above recited as to permit the proposed lease.

It will be seen that the correspondence which is submitted between the Hawaiian and British negotiators negatives the existence on the part of Hawaii of any suspicion of British unfriendliness or the fear of British aggression.

The attention of the Congress is directed to the following statement contained in a communication addressed to the Hawaiian Government by the representatives of Great Britain:

> We propose to inform the British Government of your inquiry whether they would accept the sovereignty of Nicker Island or some other uninhabited island on condition that no subsidy is required from you. As we explained, we have not felt at liberty to entertain that question ourselves, as we were definitely instructed not to ask for the sovereignty of any island, but only for a lease simply for the purpose of the cable.

Some of the dispatches from our minister, which are submitted, not only refer to the project for leasing an uninhabited island belonging to Hawaii, but contain interesting information concerning recent occurrences in that country and its political and social condition. This information is valuable because it is based upon the observation and knowledge necessarily within the scope of the diplomatic duties which are intrusted solely to the charge of this intelligent diplomatic officer representing the United States Government at Hawaii.

I hope the Congress will see fit to grant the request of the Hawaiian Government, and that our consent to the proposed lease will be promptly accorded. It seems to me we ought not by a refusal of this request to stand in the way of the advantages to be gained by isolated Hawaii through telegraphic communication with the rest of the world, especially in view of the fact that our own communication with that country would thereby be greatly improved without apparent detriment to any legitimate American interest.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 11, 1895.*

To the Senate of the United States:

In response to the resolution of the Senate of the 19th ultimo, requesting the record of the extradition proceedings in the case of General Ezeta, etc., I transmit herewith a letter from the Secretary of State, with accompanying papers.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 15, 1895.

To the Senate of the United States:

I transmit a report from the Secretary of State, with accompanying papers, in response to the resolution of the Senate of the 3d instant,

requesting "all correspondence or other papers relating to the delivery by the United States consul at Shanghai of two Japanese citizens to the Chinese authorities," and information "whether the said Japanese were put to death after being tortured, and whether there was any understanding with the Chinese Government that officers of the United States should aid, assist, and give comfort to any Japanese citizen desiring to leave China, and whether the United States consul at Hankow was reprimanded by Chinese officials for aiding Japanese citizens to leave the country, and whether all information was refused to the United States consul at Ningpo when he made inquiries as to the charges against certain Japanese citizens arrested there."

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 28, 1895.*

To the Senate and House of Representatives:

In my last annual message I commended to the serious consideration of the Congress the condition of our national finances, and in connection with the subject indorsed a plan of currency legislation which at that time seemed to furnish protection against impending danger.* This plan has not been approved by the Congress. In the meantime the situation has so changed and the emergency now appears so threatening that I deem it my duty to ask at the hands of the legislative branch of the Government such prompt and effective action as will restore confidence in our financial soundness and avert business disaster and universal distress among our people.

Whatever may be the merits of the plan outlined in my annual message as a remedy for ills then existing and as a safeguard against the depletion of the gold reserve then in the Treasury, I am now convinced that its reception by the Congress and our present advanced stage of financial perplexity necessitate additional or different legislation.

With natural resources unlimited in variety and productive strength and with a people whose activity and enterprise seek only a fair opportunity to achieve national success and greatness, our progress should not be checked by a false financial policy and a heedless disregard of sound monetary laws, nor should the timidity and fear which they engender stand in the way of our prosperity.

It is hardly disputed that this predicament confronts us to-day. Therefore no one in any degree responsible for the making and execution of our laws should fail to see a patriotic duty in honestly and sincerely attempting to relieve the situation. Manifestly this effort will not succeed unless it is made untrammeled by the prejudice of partisanship and with a steadfast determination to resist the temptation to accomplish party advantage. We may well remember that if we are threatened with

* See pp. 5985-5988.

financial difficulties all our people in every station of life are concerned; and surely those who suffer will not receive the promotion of party interests as an excuse for permitting our present troubles to advance to a disastrous conclusion. It is also of the utmost importance that we approach the study of the problems presented as free as possible from the tyranny of preconceived opinions, to the end that in a common danger we may be able to seek with unclouded vision a safe and reasonable protection.

The real trouble which confronts us consists in a lack of confidence, widespread and constantly increasing, in the continuing ability or disposition of the Government to pay its obligations in gold. This lack of confidence grows to some extent out of the palpable and apparent embarrassment attending the efforts of the Government under existing laws to procure gold and to a greater extent out of the impossibility of either keeping it in the Treasury or canceling obligations by its expenditure after it is obtained.

The only way left open to the Government for procuring gold is by the issue and sale of its bonds. The only bonds that can be so issued were authorized nearly twenty-five years ago and are not well calculated to meet our present needs. Among other disadvantages, they are made payable in coin instead of specifically in gold, which in existing conditions detracts largely and in an increasing ratio from their desirability as investments. It is by no means certain that bonds of this description can much longer be disposed of at a price creditable to the financial character of our Government.

The most dangerous and irritating feature of the situation, however, remains to be mentioned. It is found in the means by which the Treasury is despoiled of the gold thus obtained without canceling a single Government obligation and solely for the benefit of those who find profit in shipping it abroad or whose fears induce them to hoard it at home. We have outstanding about five hundred millions of currency notes of the Government for which gold may be demanded, and, curiously enough, the law requires that when presented and, in fact, redeemed and paid in gold they shall be reissued. Thus the same notes may do duty many times in drawing gold from the Treasury; nor can the process be arrested as long as private parties, for profit or otherwise, see an advantage in repeating the operation. More than $300,000,000 in these notes have already been redeemed in gold, and notwithstanding such redemption they are all still outstanding.

Since the 17th day of January, 1894, our bonded interest-bearing debt has been increased $100,000,000 for the purpose of obtaining gold to replenish our coin reserve. Two issues were made amounting to fifty millions each, one in January and the other in November. As a result of the first issue there was realized something more than $58,000,000 in gold. Between that issue and the succeeding one in November, comprising a

period of about ten months, nearly $103,000,000 in gold were drawn from the Treasury. This made the second issue necessary, and upon that more than fifty-eight millions in gold was again realized. Between the date of this second issue and the present time, covering a period of only about two months, more than $69,000,000 in gold have been drawn from the Treasury. These large sums of gold were expended without any cancellation of Government obligations or in any permanent way benefiting our people or improving our pecuniary situation.

The financial events of the past year suggest facts and conditions which should certainly arrest attention.

More than $172,000,000 in gold have been drawn out of the Treasury during the year for the purpose of shipment abroad or hoarding at home.

While nearly $103,000,000 of this amount was drawn out during the first ten months of the year, a sum aggregating more than two-thirds of that amount, being about $69,000,000, was drawn out during the following two months, thus indicating a marked acceleration of the depleting process with the lapse of time.

The obligations upon which this gold has been drawn from the Treasury are still outstanding and are available for use in repeating the exhausting operation with shorter intervals as our perplexities accumulate.

Conditions are certainly supervening tending to make the bonds which may be issued to replenish our gold less useful for that purpose.

An adequate gold reserve is in all circumstances absolutely essential to the upholding of our public credit and to the maintenance of our high national character.

Our gold reserve has again reached such a stage of diminution as to require its speedy reenforcement.

The aggravations that must inevitably follow present conditions and methods will certainly lead to misfortune and loss, not only to our national credit and prosperity and to financial enterprise, but to those of our people who seek employment as a means of livelihood and to those whose only capital is their daily labor.

It will hardly do to say that a simple increase of revenue will cure our troubles. The apprehension now existing and constantly increasing as to our financial ability does not rest upon a calculation of our revenue. The time has passed when the eyes of investors abroad and our people at home were fixed upon the revenues of the Government. Changed conditions have attracted their attention to the gold of the Government. There need be no fear that we can not pay our current expenses with such money as we have. There is now in the Treasury a comfortable surplus of more than $63,000,000, but it is not in gold, and therefore does not meet our difficulty.

I can not see that differences of opinion concerning the extent to which silver ought to be coined or used in our currency should interfere with the counsels of those whose duty it is to rectify evils now apparent in our

financial situation. They have to consider the question of national credit and the consequences that will follow from its collapse. Whatever ideas may be insisted upon as to silver or bimetallism, a proper solution of the question now pressing upon us only requires a recognition of gold as well as silver and a concession of its importance, rightfully or wrongfully acquired, as a basis of national credit, a necessity in the honorable discharge of our obligations payable in gold, and a badge of solvency. I do not understand that the real friends of silver desire a condition that might follow inaction or neglect to appreciate the meaning of the present exigency if it should result in the entire banishment of gold from our financial and currency arrangements.

Besides the Treasury notes, which certainly should be paid in gold, amounting to nearly $500,000,000, there will fall due in 1904 one hundred millions of bonds issued during the last year, for which we have received gold, and in 1907 nearly six hundred millions of 4 per cent bonds issued in 1877. Shall the payment of these obligations in gold be repudiated? If they are to be paid in such a manner as the preservation of our national honor and national solvency demands, we should not destroy or even imperil our ability to supply ourselves with gold for that purpose.

While I am not unfriendly to silver and while I desire to see it recognized to such an extent as is consistent with financial safety and the preservation of national honor and credit, I am not willing to see gold entirely banished from our currency and finances. To avert such a consequence I believe thorough and radical remedial legislation should be promptly passed. I therefore beg the Congress to give the subject immediate attention.

In my opinion the Secretary of the Treasury should be authorized to issue bonds of the Government for the purpose of procuring and maintaining a sufficient gold reserve and the redemption and cancellation of the United States legal-tender notes and the Treasury notes issued for the purchase of silver under the law of July 14, 1890. We should be relieved from the humiliating process of issuing bonds to procure gold to be immediately and repeatedly drawn out on these obligations for purposes not related to the benefit of our Government or our people. The principal and interest of these bonds should be payable on their face in gold, because they should be sold only for gold or its representative, and because there would now probably be difficulty in favorably disposing of bonds not containing this stipulation. I suggest that the bonds be issued in denominations of twenty and fifty dollars and their multiples and that they bear interest at a rate not exceeding 3 per cent per annum. I do not see why they should not be payable fifty years from their date. We of the present generation have large amounts to pay if we meet our obligations, and long bonds are most salable. The Secretary of the Treasury might well be permitted at his discretion to receive on the sale of bonds

the legal-tender and Treasury notes to be retired, and of course when they are thus retired or redeemed in gold they should be canceled.

These bonds under existing laws could be deposited by national banks as security for circulation, and such banks should be allowed to issue circulation up to the face value of these or any other bonds so deposited, except bonds outstanding bearing only 2 per cent interest and which sell in the market at less than par. National banks should not be allowed to take out circulating notes of a less denomination than $10, and when such as are now outstanding reach the Treasury, except for redemption and retirement, they should be canceled and notes of the denomination of $10 and upward issued in their stead. Silver certificates of the denomination of $10 and upward should be replaced by certificates of the denominations under $10.

As a constant means for the maintenance of a reasonable supply of gold in the Treasury, our duties on imports should be paid in gold, allowing all other dues to the Government to be paid in any other form of money.

I believe all the provisions I have suggested should be embodied in our laws if we are to enjoy a complete reinstatement of a sound financial condition. They need not interfere with any currency scheme providing for the increase of the circulating medium through the agency of national or State banks that may commend itself to the Congress, since they can easily be adjusted to such a scheme. Objection has been made to the issuance of interest-bearing obligations for the purpose of retiring the noninterest-bearing legal-tender notes. In point of fact, however, these notes have burdened us with a large load of interest, and it is still accumulating. The aggregate interest on the original issue of bonds, the proceeds of which in gold constituted the reserve for the payment of these notes, amounted to $70,326,250 on January 1, 1895, and the annual charge for interest on these bonds and those issued for the same purpose during the last year will be $9,145,000, dating from January 1, 1895.

While the cancellation of these notes would not relieve us from the obligations already incurred on their account, these figures are given by way of suggesting that their existence has not been free from interest charges and that the longer they are outstanding, judging from the experience of the last year, the more expensive they will become.

In conclusion I desire to frankly confess my reluctance to issuing more bonds in present circumstances and with no better results than have lately followed that course. I can not, however, refrain from adding to an assurance of my anxiety to cooperate with the present Congress in any reasonable measure of relief an expression of my determination to leave nothing undone which furnishes a hope for improving the situation or checking a suspicion of our disinclination or disability to meet with the strictest honor every national obligation.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 30, 1895.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 28th instant, the Senate concurring, I herewith return the bill (H. R. 6186) entitled "An act to pension Maria Davis."

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 4, 1895.

To the Senate of the United States:

In response to the resolution of the Senate dated December 6, 1894, requesting that copies of correspondence in regard to the claim of Antonio Maximo Mora against the Government of Spain exchanged since my last message to the Senate on the same subject, dated June 20, 1894,* be communicated to it if not incompatible with the public interests, I transmit herewith a report of the Secretary of State, inclosing copies of further correspondence exchanged between the Governments of the United States and Spain since the date of my last message to the Senate, December 11, 1894.†

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 4, 1895.

To the House of Representatives:

In response to the resolution of the House of Representatives of the 1st instant, calling for certain information touching the recent insurrection in the Hawaiian Islands, I transmit herewith a report of the Secretary of State, with accompanying papers.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 5, 1895.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 2d instant, the Senate concurring, I return herewith the bill (H.R.5377) entitled "An act granting a pension to Richard R. Knight."

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 7, 1895.

To the Senate:

I transmit herewith, in response to a resolution of the Senate of the 16th ultimo, a report from the Secretary of State, accompanied by copies of certain correspondence touching the enforcement of the provisions of the tariff act of 1894.

GROVER CLEVELAND.

*See p. 5930. †See p. 5989.

EXECUTIVE MANSION, *February 8, 1895*

To the Congress of the United States:

Since my recent communication to the Congress calling attention to our financial condition and suggesting legislation which I deemed essential to our national welfare and credit* the anxiety and apprehension then existing in business circles have continued.

As a precaution, therefore, against the failure of timely legislative aid through Congressional action, cautious preparations have been pending to employ to the best possible advantage, in default of better means, such Executive authority as may without additional legislation be exercised for the purpose of reenforcing and maintaining in our Treasury an adequate and safe gold reserve.

In the judgment of those especially charged with this responsibility the business situation is so critical and the legislative situation is so unpromising, with the omission thus far on the part of Congress to beneficially enlarge the powers of the Secretary of the Treasury in the premises, as to enjoin immediate Executive action with the facilities now at hand.

Therefore, in pursuance of section 3700 of the Revised Statutes, the details of an arrangement have this day been concluded with parties abundantly able to fulfill their undertaking whereby bonds of the United States authorized under the act of July 14, 1875, payable in coin thirty years after their date, with interest at the rate of 4 per cent per annum, to the amount of a little less than $62,400,000, are to be issued for the purchase of gold coin, amounting to a sum slightly in excess of $65,000,000, to be delivered to the Treasury of the United States, which sum added to the gold now held in our reserve will so restore such reserve as to make it amount to something more than $100,000,000. Such a premium is to be allowed to the Government upon the bonds as to fix the rate of interest upon the amount of gold realized at 3¾ per cent per annum. At least one-half of the gold to be obtained is to be supplied from abroad, which is a very important and favorable feature of the transaction.

The privilege is especially reserved to the Government to substitute at par within ten days from this date, in lieu of the 4 per cent coin bonds, other bonds in terms payable in gold and bearing only 3 per cent interest if the issue of the same should in the meantime be authorized by the Congress.

The arrangement thus completed, which after careful inquiry appears in present circumstances and considering all the objects desired to be the best attainable, develops such a difference in the estimation of investors between bonds made payable in coin and those specifically made payable in gold in favor of the latter as is represented by three-fourths of a cent in annual interest. In the agreement just concluded the annual saving

*See pp. 5993-5997.

in interest to the Government if 3 per cent gold bonds should be substituted for 4 per cent coin bonds under the privilege reserved would be $539,159, amounting in thirty years, or at the maturity of the coin bonds, to $16,174,770.

Of course there never should be a doubt in any quarter as to the redemption in gold of the bonds of the Government which are made payable in coin. Therefore the discrimination, in the judgment of investors, between our bond obligations payable in coin and those specifically made payable in gold is very significant. It is hardly necessary to suggest that, whatever may be our views on the subject, the sentiments or preferences of those with whom we must negotiate in disposing of our bonds for gold are not subject to our dictation.

I have only to add that in my opinion the transaction herein detailed for the information of the Congress promises better results than the efforts previously made in the direction of effectively adding to our gold reserve through the sale of bonds, and I believe it will tend, as far as such action can in present circumstances, to meet the determination expressed in the law repealing the silver-purchasing clause of the act of July 14, 1890, and that, in the language of such repealing act, the arrangement made will aid our efforts to "insure the maintenance of the parity in value of the coins of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts."

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 8, 1895.*

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, a copy of a telegraphic dispatch just received from Mr. Willis, our minister to Hawaii, with a copy of the reply thereto which was immediately sent by the Secretary of State.

GROVER CLEVELAND.

To the Senate: EXECUTIVE MANSION, *February 11, 1895.*

On the 8th day of January I received a copy of the following Senate resolution:

Resolved, That the President be requested, if not incompatible with the public interests, to communicate to the Senate all reports, documents, and other papers, including logs of vessels, relating to the enforcement of the regulations respecting fur seals adopted by the Governments of the United States and Great Britain in accordance with the decision of the Tribunal of Arbitration convened at Paris and the resolutions under which said reports are required to be made, as well as relating to the number of seals taken during the season of 1894 by pelagic hunters and by the lessees of the Pribilof and Commander islands; also relating to the steps which may have been taken to extend the said regulations to the Asiatic waters of the

North Pacific Ocean and Bering Sea and to secure the concurrence of other nations in said regulations, and, further, all papers not heretofore published, including communications of the agent of the United States before said Tribunal at Paris, relating to the claims of the British Government on account of the seizure of the sealing vessels in Bering Sea.

In compliance with said request I herewith transmit sundry papers, documents, and reports which have been returned to me by the Secretary of State, the Secretary of the Treasury, and the Secretary of the Navy, to whom said resolution was referred. I am not in possession of any further information touching the various subjects embodied in such resolution.

It will be seen from a letter of the Secretary of the Navy accompanying the papers and documents sent from his Department that it is impossible to furnish at this time the complete log books of some of the naval vessels referred to in the resolution, but I venture to express the hope that the reports of the commanders of such vessels herewith submitted will be found to contain in substance so much of the matters recorded in said log books as are important in answering the inquiries addressed to me by the Senate.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 12, 1895.

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, a communication from the Secretary of State, covering the report of the Director of the Bureau of the American Republics for the year 1894.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 14, 1895.*

To the Senate and House of Representatives:

I transmit herewith the eighth special report of the Commissioner of Labor, which relates to "the housing of the working people" in different countries.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 26, 1895.

To the Senate:

I transmit herewith, in response to a resolution of the Senate of the 29th ultimo, a report from the Secretary of State, accompanied by copies of correspondence touching Samoan affairs.

GROVER CLEVELAND.

VETO MESSAGES.

EXECUTIVE MANSION, *January 14, 1895.*

To the House of Representatives:

I herewith return without my approval House bill No. 7451, entitled "An act to authorize the entry of land for gravel pits and reservoir purposes and authorizing the grant of right of way for pipe lines."

The first section of this bill permits the sale to railroad companies, in the discretion of the Secretary of the Interior, under certain restrictions and at an appraised value, certain public lands to be used by said companies for gravel pits or the construction of reservoirs. It also permits grants of the right of way for pipe lines connecting such reservoirs with the railways of said companies.

The second, third, and fourth sections of the bill relate to the purchase by any citizen of the United States, or any association of citizens, or any ditch or water company, of public lands suitable for reservoir purposes at such a price as the Secretary of the Interior shall prescribe, not less than $2 per acre.

The right to purchase these lands is given by the sections last referred to "under rules and regulations prescribed by the Secretary of the Interior."

I think the expediency and propriety of disposing of these lands for the purposes specified should in each case be determined by the Secretary of the Interior, as well as the rules and regulations governing such disposition.

The objections to the bill, however, which appear to be the most serious are found in its fifth and last section, which provides:

> That any State or any county or district organization duly organized under the laws of any State or Territory may apply for any of the storage-reservoir sites not reserved by the United States, situated on unentered public lands, for the storage of water for irrigating, mining, or other useful purposes, whereupon the Secretary of the Interior shall set aside and withdraw from public sale or other disposition such site or sites and permit the use thereof for either or all of such purposes.

These provisions do not seem to be in harmony with prior laws by which, under certain conditions, arid lands may be conveyed to States for the purpose of irrigation, and it is not clear what is intended by the words "any of the storage-reservoir sites not reserved by the United States."

The apparent purpose and effect of the section is to give to the organizations mentioned the right to select such land as may present eligible reservoir sites not reserved and upon unentered lands, and demand of the Secretary of the Interior a grant of the same, leaving no discretion on the subject to him or to any other officer of the Government; and these grants are to be made without any compensation to the Government and

without any specific requirement of the amount or kind of work to be done or improvements to be made upon such sites.

The grants may be demanded not only for the storage of water for irrigating purposes, but for "mining and other useful purposes." Inasmuch as no officer of the Government is vested with any discretion in the premises, the pretext that the "purpose" to be accomplished is "useful" might result in the use of these sites in a manner prejudicial to the surrounding public domain and destructive of the utilization of such sites for irrigating purposes.

The wise and prudent safeguards which have been incorporated in other legislation relating to the disposition of arid public lands and their irrigation seem to have been to such an extent overlooked in the construction of the bill under consideration that, in my judgment, if it should become the law a beneficent policy which the Government has entered upon in the interest of agriculture would be seriously endangered.

GROVER CLEVELAND.

To the Senate: EXECUTIVE MANSION, *February 1, 1895.*

I herewith return without my approval Senate bill No. 2338, entitled "An act granting to the Gila Valley, Globe and Northern Railway Company a right of way through the San Carlos Indian Reservation, in the Territory of Arizona."

The reservation through which it is proposed to construct a railroad under the provisions of this bill is inhabited by tribes of Indians which in the past have been most troublesome and whose depredations on more than one occasion have caused loss of life, destruction of property, and serious alarm to the people of the surrounding country; and their condition as to civilization is not now so far improved as to give assurance that in the future they may not upon occasion make trouble.

The discontent among the Indians which has given rise to disturbances in the past has been largely caused by trespass upon their lands and interference with their rights by the neighboring whites. I am in very great doubt whether in any circumstances a road through their reservation should at this time be permitted, and especially since the route, which is rather indefinitely described in the bill, appears to pass through the richest and most desirable part of their lands. In any event, I am thoroughly convinced that the construction of the road should not be permitted without first obtaining the consent of these Indians. This is a provision which has been insisted upon, so far as I am aware, in all the like bills which have been approved for a long time, and I think it should especially be inserted in this bill if, even upon any conditions, it is thought expedient to permit a railroad to traverse this reservation.

The importance of this consent does not rest solely upon the extent to which the Indians have the right of ownership over this land. The fact

that the procurement of this consent is the most effective means of allaying the discontent which might arise and perhaps develop into a train of lamentable and destructive outbreaks of violence particularly emphasizes its importance.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 5, 1895.*

To the House of Representatives:

I return herewith without approval House bill No. 5368, entitled "An act for the relief of H. W. McConnell."

The reports of both the Senate and House committees, which favorably reported this bill, disclose an intention to partially relieve the former postmaster at Jacksboro, in the State of Texas, from liability on account of two remittances of postal funds which he dispatched at different times during the year 1883 to be deposited at Dallas, in the same State, and which were lost by robberies of the stage conveying the same. In dealing with the first remittance the committees report that the postmaster should be relieved of liability to the amount of only $94, the loss of the remainder of the money being chargeable to his neglect and violation of postal regulations. As to the second remittance, the committees report that by reason of like neglect and violation of regulations the postmaster should be held responsible for the loss of all the money transmitted except the sum of $42.

For these two sums, amounting to $136, an appropriation is made for the benefit of H. W. McConnell.

The name of the postmaster intended to be relieved is H. H. McConnell, as appears by the records of the Post-Office Department. The person to whom the money appropriated should be paid is therefore not correctly named in the bill.

An examination of this postmaster's accounts discloses the further fact that the amount proposed to be appropriated for his relief is too large by $42, that being the sum allowed him by reason of the second stage robbery. This item has already been credited to him in the adjustment of his accounts at the Post-Office Department, and the claim for its reimbursement has been thereby extinguished.

GROVER CLEVELAND.

To the Senate:

EXECUTIVE MANSION, *February 12, 1895.*

I return herewith without approval Senate bill No. 143, entitled "An act for the relief of the heirs of D. Fulford."

This bill directs the Secretary of the Treasury "to redeem, in favor of the heirs at law of D. Fulford, four bonds of the United States, consols of 1867, of the denomination of $500, $10, $50, and $50, and known as five-twenties, said bonds having been destroyed by fire the 9th day of

July, 1872, and to pay to the heirs at law of said D. Fulford the amount of said bonds, together with accrued interest from July 1, 1872, to the date of the maturity of said bonds."

The bill further provides that the heirs to whom the payment is to be made shall execute and file with the Secretary of the Treasury a bond "conditioned to save harmless the United States from loss or liability on account of said bonds or the interest accrued thereon, and to contain such words as to cover any liability resulting from any mistake in the designation or description of the bonds, so that in no event shall the United States be called upon by a rightful claimant for a second payment thereof."

The proposition is that the Government shall pay bonds alleged to have been destroyed by fire nearly twenty-three years ago.

The Secretary of the Treasury states that an application for the payment of these bonds, made by Mr. Fulford himself, was rejected by the Department because he was unable to describe the bonds in such a way as to permit their identification and because the evidence of their destruction by fire was inconclusive.

The Senate Committee on Claims, however, in their report on the bill under consideration, state that they are entirely satisfied that Mr. Fulford was the owner of four Government bonds, one for $500, one for $100, and two for $50, and that they were burned with his residence, which was destroyed by fire on the 9th day of July, 1872, and that while he could not furnish the numbers or descriptions of said bonds he understood all these bonds were of the class known as consols of 1867, and that he had collected the coupons thereon for the interest due July 1, 1872.

The particular class of bonds mentioned were dated July 1, 1867, and were payable or redeemable not less than five nor more than twenty years from their date. The short period expired, therefore, on the 1st day of July, 1872. That was the date when the last coupons on Mr. Fulford's bonds, which it is alleged were detached and collected, became due, and only nine days before the supposed destruction of the bonds by fire.

A letter from the Secretary of the Treasury dated July 20, 1892, attached to the report of the Senate committee made upon a bill similar to this which was pending at that time, discloses the fact that among the consols of 1867 then outstanding there were 107 of the denomination of $500, 167 of the denomination of $100, and 85 of the denomination of $50. This statement merely shows that there were numerous bonds precisely similar to those described as belonging to Mr. Fulford which had not in July, 1892, been redeemed, though the extreme limit of their maturity expired on the 1st day of July, 1887. The letter of the Secretary further discloses, however, that there were two of these outstanding bonds of the denomination of $500 and two of the denomination of $100 upon which coupons of interest had not been paid since July 1, 1872. Of course this

lends plausibility to the suggestion that two of these four bonds, one of each denomination, were those destroyed when Mr. Fulford's house was burned in July, 1872; but this suggestion loses its force under the additional statement in the letter of the Secretary of the Treasury that in July, 1892, there were no consols of 1867 of the denomination of $50 whose last coupon was paid July 1, 1872. This shows conclusively that no fifty-dollar bonds of this class were destroyed by fire in Mr. Fulford's house and casts great uncertainty upon the description of the other bonds, inasmuch as the theory of the claimants seems to be that all the bonds destroyed belonged to the same class.

In 1893, upon an examination of the records of the Treasury Department, it was found that the two unpaid bonds for $500 reported in 1892 as outstanding, from which no coupons had been paid since July 1, 1872, still remained unredeemed, but that one of the two one-hundred-dollar bonds which were in that condition in 1892 had been since that time paid and canceled. I think it must be conceded that this late redemption of this bond greatly weakens any presumption that the other three will not be presented for payment.

It is perfectly clear that so far as this bill directs the payment to the persons therein named of two consols of 1867 of the denomination of $50 each on the ground that such bonds were destroyed by fire in July, 1872, it requires the payment of money to those not entitled to it, since it is shown that these consols could not have been destroyed at the time stated, because coupons due on all consols of that denomination unredeemed have been paid since that date.

While the objections to the payment of the amount of the other two bonds mentioned in the bill are less conclusive, there seem to be so much doubt and uncertainty concerning their description and character, and their identification as unredeemed consols of 1867 is so unsatisfactory, that, in my opinion, it is not safe to assume, as is done in this bill, that they are represented among those bonds of that class recorded as still outstanding whose coupons for some reason have not been presented for payment since July 1, 1872.

I do not believe that an indemnity bond could be drawn which, as against the strict rights of sureties, would protect the Government against double liability in case all the payments directed by this bill were made. Even if the payments were confined to the two larger consols described, there would be great difficulty in framing a bond which would surely indemnify the Government.

There should always be a willingness to save the holders of Government securities from damage through their loss or destruction, but, in my judgment, a bad precedent would be established by paying obligations whose destruction and identification are not more satisfactorily established than in this case.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 19, 1895.*

To the House of Representatives:

I return herewith without approval House bill No. 6244, entitled "An act to remove the charge of desertion from the military record of Jacob Eckert."

This bill directs the Secretary of War "to cause the records of the War Department to be so amended as to remove the charge of desertion from the service record of Jacob Eckert, of New Philadelphia, Ohio, late a private in Company B, Sixty-first Ohio Volunteer Infantry, and to grant an honorable discharge to said Jacob Eckert from the service of the United States Army as of date when said company was mustered out of service."

The regiment and company to which this soldier belonged, except such members as reenlisted as veterans, were mustered out of the service October 17, 1864.

Jacob Eckert did not reenlist and was not mustered out with his comrades for the reason that he was then under arrest on a charge of desertion. In November, 1864, he was tried by a general court-martial and convicted of having deserted on the 1st of September, 1864, and again on the 2d day of September, 1864, and upon such conviction he was sentenced to forfeit all pay due him from September 1, the date of his first desertion, until the expiration of his term of service, to be dishonorably discharged and confined at hard labor for twelve months.

This sentence was approved by the reviewing authority, and I assume the convicted soldier served his term of imprisonment, since the statement contained in the report of the House committee to whom this bill was referred that he was dishonorably discharged in 1865 can be accounted for in no other way.

It seems to me that the provisions of this bill amount to a legislative reversal of the judgment of a regularly constituted court and a legislative pardon of the offense of which this soldier was convicted. If this doubtful authority is to be exercised by Congress, it should be done in such a manner as not to restore a man properly convicted and sentenced as a deserter, without even the allegation of injustice, to the rights of pay, allowance, and pension belonging to those who faithfully and honorably served in the military service of their country according to the terms of their enlistment.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 20, 1895.*

To the Senate:

I return herewith without approval Senate bill No. 1526, entitled "An act for the relief of Henry Halteman."

This bill directs the Secretary of War "to grant an honorable discharge from the United States service to Henry Halteman, late of Company F, Second United States Artillery."

It is conceded that this soldier enlisted in the Regular Army on the 18th

day of December, 1860, for the term of five years and that he deserted on the 18th day of August, 1865. The only excuse or palliation offered for his offense is found in the statement that his desertion was provoked by his company's being ordered to California so near the termination of his enlistment that his term would have expired before or soon after his company could have reached California, and "that his return would have been both tedious and somewhat perilous, if not expensive."

The fact must not be overlooked that this soldier enlisted in the Regular Army and that his term had no relation to the duration of the war or the immediate need of the Government for troops at the time of his desertion. The morale and discipline of the Regular Army are therefore directly involved in the proposed legislation.

The soldier's name remained on the records of the War Department as a deserter at large for twenty-three years, and until the year 1888. In August of that year application was made to the Department for the removal of the charge of desertion against him, which was refused on the ground that it was not shown that such charge was founded in error. Thereupon he applied for a discharge without character, as it is called, as of the date of his desertion. This was granted on the 21st day of September, 1888. Such discharges, which were not uncommon at that time, omitted the certificate of character which entitled the soldier to reenlistment.

In 1892 a bill similar to that now under consideration was referred to the Adjutant-General of the Army and was returned with an adverse report.

The record of the War Department on the subject of this soldier's separation from the Army is absolutely correct as it stands, and no sufficient reason is apparent why another record should be substituted. If this deserter is to be allowed an honorable discharge, I do not see why every deserter should not be absolved from the consequences of his unfaithfulness.

The effect of this bill if it should become a law would be to allow the beneficiary not only a pensionable status, but arrears of pay and clothing allowances up to the date of his desertion and travel allowance from the place of his desertion to the place of his enlistment.

It is not denied that all these things have been justly forfeited by deliberate and inexcusable desertion. In the case presented it seems to me that the laws and regulations adopted for the purpose of maintaining the discipline and efficiency of the Army ought not to be set aside.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 23, 1895.*

To the House of Representatives:

I return herewith without approval House bill No. 8165, entitled "An act authorizing the Kansas City, Oklahoma and Pacific Railway Company to construct and operate a railway through Indian reservations in the

Indian Territory and the Territories of Oklahoma and New Mexico, and for other purposes."

This bill contains concessions more comprehensive and sweeping than any ever presented for my approval, and it seems to me the rights and interests of the Indians and the Government are the least protected.

The route apparently desired, though passing through or into one State and three Territories, is described as indefinitely as possible, and does not seem to be subject to the approval in its entirety of the Secretary of the Interior or any other governmental agency having relation to the interest involved.

There is no provision for obtaining the consent of the Indians through whose territory and reservations the railroad may be located.

Though it is proposed to build the railroad through territories having local courts convenient to their inhabitants, all controversies that may arise out of the location and building of the road are by the provisions of the bill to be passed upon by the United States circuit and district courts for the district of Kansas "and such other courts as may be authorized by Congress."

The bill provides that "the civil jurisdiction of said courts is hereby extended within the limits of said Indian reservations, without distinction as to citizenship of the parties, so far as may be necessary to carry out the provisions of this act." This provision permits the subordination of the jurisdiction of Indian courts, which we are bound by treaty to protect, to the "provisions of this act" and to the interests and preferences of the railroad company for whose benefit the bill under consideration is intended.

A plan of appraisal is provided for in the bill in case an agreement can not be reached as to the amount of compensation to be paid for the taking of lands held by individual occupants according to the laws, customs, and usages of any of the Indian nations or tribes or by allotment or agreement with the Indians. It is, however, further provided that in case either party is dissatisfied with the award of the referees to be appointed an appeal may be taken to the district court held at Wichita, Kans., no matter where on the proposed route of the road the controversy may originate. If upon the hearing of said appeal the judgment of the court shall be for the same sum as the award of the referees, the costs shall be adjudged against the appellant, and if said judgment shall be for a smaller sum the costs shall be adjudged against the party claiming damages. It does not seem to me that the interests of an Indian occupant or allottee are properly regarded when he is obliged, if dissatisfied with an award for the taking of his land, to go to the district court of Kansas for redress, at the risk of incurring costs and expenses that may not only exceed the award originally made to him, but leave him in debt.

It is probable that there are other valid objections to this bill. I have only attempted to suggest enough to justify my action in disapproving it.

In constructing legislation of this description it should not be forgotten that the rights and interests of the Indians are important in every view and should be scrupulously protected.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 23, 1895.*

To the House of Representatives:

I return herewith without approval House bill No. 5740, entitled "An act incorporating the Society of American Florists."

No sufficient reason is apparent for the incorporation of this organization under Federal laws. There is not the least difficulty in the way of the accomplishment under State laws by the incorporators named in the bill of every purpose which can legitimately belong to their corporate existence. The creation of such a corporation by a special act of Congress establishes a vexatious and troublesome precedent.

There appears to be no limit in the bill to the value of the real and personal property which the proposed corporation may hold if acquired by donation or bequest. The limit of $50,000 applies only to property acquired by purchase.

A conclusive objection to the bill is found in the fact that it fails to carry out the purposes and objects of those interested in its passage. The promoters of the bill are florists, who undoubtedly seek to advance floriculture. The declared object of the proposed incorporation is, however, stated in the bill to be "the elevation and advancement of horticulture in all its branches, to increase and diffuse the knowledge thereof, and for kindred purposes in the interest of horticulture."

It is entirely clear that the interests of florists would be badly served by a corporation confined to the furtherance of garden culture.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 23, 1895.*

To the House of Representatives:

I return herewith without approval House bill No. 4658, entitled "An act granting a pension to Hiram R. Rhea and repealing an act approved March 3, 1871."

The person named in the title of this bill was pensioned under the provisions of a private act passed March 3, 1871. In 1892 a letter from the Commissioner of Pensions was presented to Congress exhibiting facts which established in a most satisfactory manner that the claim for pension allowed by said special act was a barefaced and impudent fraud, supported by deliberate perjury. This letter appears to be the moving cause of the passage of the bill now before me. Payment of pension under the fraudulent act has been suspended since January 28, 1893, and

since that time no information has been received from the fraudulent pensioner.

The circumstances developed called for the repeal of the law of 1871 placing him upon the pension roll. This is accomplished in the second section of the bill under consideration, which section I would be glad to approve. This repeal, however, is accompanied by a provision in the first section of the bill directing the Secretary of the Interior to place upon the pension roll this identical fraudulent pensioner, under a certificate numbered precisely the same as that heretofore issued to him, "at a rate proportionate to the degree of disability from such gunshot wounds as may be shown to the satisfaction of said Secretary to have been received at the hands of Confederate soldiers or sympathizers while said Rhea was attempting to cooperate with the Union forces," etc.

Inasmuch as the letter of the Commissioner of Pensions to which reference has been made, and which forms part of the committee's report on this bill, is the basis of this repealing provision, and inasmuch as this letter furnishes evidence that the pensioner was when injured a very disreputable member of a band of armed rebels and was wounded by Union soldiers, I can not understand why the same bill which for this reason purges the pension rolls of his name should in the same breath undo this work and direct his name to be rewritten on the rolls.

If the facts before Congress justify the repeal of the law under which this man fraudulently received a pension for nearly twenty-two years, they certainly do not justify the provision directing his name to be put on the rolls again with a view to further examination of his case or for any other purpose.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 27, 1895.*

To the House of Representatives:

I return herewith without approval House bill No. 2051, entitled "An act to grant a pension to Eunice Putman."

This bill provides for a pension to the beneficiary therein named as the helpless daughter of John Putman, who served as a private in the War of the Rebellion from August 27, 1864, to June 2, 1865. In 1870, when the beneficiary was not 2 years old, her mother died, and her father married again in 1872. He applied for a pension in 1884, but died the same year. His claim was allowed, however, in 1891, and his pension which had accrued between the date of his application and his death was paid to his widow, Jeanette S. Putman. Immediately thereafter a pension was allowed the widow in her own right, dating from the soldier's death, in 1884, with $2 additional per month for each of the two minor children. The beneficiary was not included because she had reached the age of 16 years prior to her father's death.

The report of the committee to whom this bill was referred states that no claim for pension on account of the soldier's death has ever been filed in the Pension Bureau, and it seems that upon this theory it was proposed to pension the daughter. I do not suppose it was intended that a double pension should be allowed. In point of fact, the widow has already been pensioned, and no such pension allowance has been made for the minor children. There is no suggestion that the widow has died or remarried.

If this bill should become a law, two full pensions would be in force at the same time, one to the widow and another to the daughter, each predicated upon the services and death of the same soldier.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 27, 1895.*

To the House of Representatives:

I herewith return without approval House bill No. 6868, entitled "An act for the relief of Catherine Ott, widow of Joseph Ott."

An application by the beneficiary named in this bill, under the law of 1890, was rejected on the ground that her husband died in the service, and therefore had not been honorably discharged, as required by that law.

It appears that after he had served a number of years in a cavalry regiment, and having been once discharged for reenlistment, he was transferred to the Veteran Reserve Corps and was in that service at the time of his death.

In these circumstances the rejection of the beneficiary's claim on the ground stated is held, under present rulings of the Pension Bureau, to have been erroneous, and such claim can now be favorably adjudicated upon proof of continued widowhood of the applicant and the lack of other means of support than her daily labor.

If such proof is supplied, she would be entitled to a pension dating from July 14, 1890, which would be much more advantageous than the relief afforded by the bill herewith returned.

If the beneficiary can justly claim a pension dating from her application to the Pension Bureau in 1890, the benefits accruing to her therefrom should not be superseded by this special legislation, which allows relief only from the date of its enactment.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 28, 1895.*

To the House of Representatives:

I herewith return without approval House bill No. 8681, entitled "An act authorizing the Arkansas Northwestern Railway Company to con-

struct and operate a railway through the Indian Territory, and for other purposes."

The contemplated route of this railway, so far as it is disclosed in the bill, would run from a point in the southwestern corner of the State of Missouri, across the northeastern corner of the Indian Territory, to a point in the southeastern part of the State of Kansas. This route necessarily runs through the lands of the Cherokee Indians or through the small reservations of the Quapaws, the Peorias, the Ottawas, the Wyandottes, and the Senecas.

There is no provision in the bill requiring the consent of the Indians whose lands are to be thus traversed.

There is no provision requiring the entire line to be located and approved by the Secretary of the Interior before the work of building is commenced.

The bill provides for compensation to individual occupants or allottees by a process of appraisal by referees, with the right of appeal to the district court held at Fort Smith, in the State of Arkansas.

In the case of allotted land or land held in individual occupancy by the Indians great care should be exercised in interfering with their holdings. Their land is given them for cultivation and with a view of making them self-supporting and industrious citizens. If their land is invaded and cut up by railroads, the purpose of allotment is in danger of being defeated. Money compensation is of but little use to them, and no amount can compensate for the disturbance in the cultivation of their lands and their consequent discontent and discouragement.

These considerations, it seems to me, emphasize the necessity of the exact location of the entire line of the contemplated railroad and such control over it by the Secretary of the Interior as will enable him to avoid as much as possible interference with individual Indian occupants and other difficulties.

This supervision and regulation of the line can be done with much more safety and effectiveness in considering the entire line than it can be done in sections of 25 miles each, as is provided in the bill.

The United States circuit and district courts for the districts of Kansas and the district of Arkansas and such other courts as may be authorized by Congress are given concurrent jurisdiction of all controversies arising between the railway company and the nations and tribes of Indians through whose territory the railway shall be constructed, or between said company and the members of said nations or tribes, without reference to the amount in controversy, and the civil jurisdiction of said courts is extended within the limits of said Indian Territory, without distinction as to the citizenship of parties, so far as may be necessary to carry out the provisions of the act.

The requirement that an Indian shall be obliged to seek a distant court for the adjudication of his rights in his controversies, great and

small, with this railway company would result in many cases to a denial of justice.

I am convinced of the growing necessity, in this period of change in our relations with the Indians, of caution and certainty in the grants given to railroads to pass through Indian lands and of the exercise of care in allowing interference with their occupation.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 28, 1895.*

To the House of Representatives:

I herewith return without approval House bill No. 5624, entitled "An act to authorize the Oklahoma Central Railroad to construct and operate a railway through the Indian and Oklahoma Territories, and for other purposes."

The railroad proposed to be built under authority of this bill commences at a point in the Creek Nation called Sapulpa and runs through the Indian Territory to Oklahoma City, in Oklahoma, and thence through the Kiowa and Comanche Reservation to a point at or near the Red River, on the west line of said reservation.

There is no provision in this bill requiring the consent of the Indians through whose lands it is proposed to build the road.

The character and situation of these Indians are such as to make this consent important.

The first section gives the railroad company the right to build not only its line of road, but "such tracks, turn-outs, branches, sidings, and extensions as said company may deem it to their interest to construct."

If under an apparent grant to build a railroad the route of which is in a general way defined this company is to be allowed to build such branches and extensions as it may deem it to its interest to construct, the grant, I am sure, is more comprehensive than was intended by the Congress.

It seems to me that the entire line of the proposed railroad should be precisely located and subjected to the approval of the Secretary of the Interior before the work of construction is entered upon. This bill provides that it shall be approved in sections of 25 miles before construction on such sections shall be commenced.

Our relations to the Indians on reservations and their welfare and quiet are better preserved and protected when the entire line of road can be settled upon at one time and all uncertainty and doubt on the subject removed. The object sought by submitting the line to the supervision and determination of the Secretary of the Interior can be better and more intelligently accomplished if it is dealt with in its entirety instead of in sections.

GROVER CLEVELAND.

© Underwood & Underwood.

THE VIRGIN ISLANDS

THE VIRGIN ISLANDS

For an account of the manner in which the United States acquired the Virgin Islands, as well as a description of them, consult the Encyclopedic Index under that heading. An earlier attempt to annex the islands is shown on pages 3777, 3779, 3796 and 3886. The upper panel gives a view of the harbor of St. Thomas. That to the left shows the most important street of the city of Charlotte Amelia. The crowd in the other panel is waiting to catch a glimpse of General Pershing, on an official visit to the islands. The only white man in the group is an American sailor prepared to take a snapshot of the General.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea; and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month in at least one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering said waters for the purpose of violating the provisions of said section; and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Grover Cleveland, President of the United States, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956 of the Revised Statutes; and I hereby proclaim that all persons found to be or to have been engaged in any violation of the laws of the United States in said waters will be arrested, proceeded against, and punished as above provided.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of February, A. D. 1895, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM,

Secretary of State.

195

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an act of Congress entitled "An act to postpone the enforcement of the act of August 19, 1890, entitled 'An act to adopt regulations for preventing collisions at sea,'" was approved February 23, 1895:

Now, therefore, I, Grover Cleveland, President of the United States of America, do hereby give notice that said act of August 19, 1890, as amended by the act of May 28, 1894, will not go into force on March 1, 1895, the date fixed in my proclamation of July 13, 1894,* but on such future date as may be designated in a proclamation of the President to be issued for that purpose.

In testimony whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of February, 1895, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

W. Q. GRESHAM, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 1 of the act of Congress approved July 13, 1892, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1893, and for other purposes," certain articles of agreement were made and concluded at the Yankton Indian Agency, S. Dak., on the 31st day of December, 1892, by and between the United States of America and the Yankton tribe of Sioux or Dakota Indians upon the Yankton Reservation, whereby the said Yankton tribe of Sioux or Dakota Indians, for the consideration therein mentioned, ceded, sold, relinquished, and conveyed to the United States all their claim, right, title, and interest in and to all the unallotted lands within the limits of the reservation set apart to said tribe by the first article of the treaty of April 19, 1858, between said tribe and the United States; and

Whereas it is further stipulated and agreed by article 8 that such part of the surplus lands by said agreement ceded and sold to the United States as may be occupied by the United States for agency, schools, and other purposes shall be reserved from sale to settlers until they are no longer required for such purposes, but all of the other lands so ceded and sold shall immediately after the ratification of the agreement by Congress be offered for

*See pp. 5933-5942.

sale through the proper land office, to be disposed of under the existing land laws of the United States to actual and *bona fide* settlers only; and

Whereas it is also stipulated and agreed by article 10 that any religious society or other organization shall have the right for two years from the date of the ratification of the said agreement within which to purchase the lands occupied by it under proper authority for religious or educational work among the Indians, at a valuation fixed by the Secretary of the Interior, which shall not be less than the average price paid to the Indians for the surplus lands; and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming the said agreement, approved August 15, 1894, section 12 (Pamphlet Statutes, Fifty-third Congress, second session, pp. 314–319)—

That the lands by said agreement ceded to the United States shall upon proclamation by the President be opened to settlement, and shall be subject to disposal only under the homestead and town-site laws of the United States, excepting the sixteenth and thirty-sixth sections in each Congressional township, which shall be reserved for common-school purposes and be subject to the laws of the State of South Dakota: *Provided*, That each settler on said lands shall, in addition to the fees provided by law, pay to the United States for the land so taken by him the sum of $3.75 per acre, of which sum he shall pay 50 cents at the time of making his original entry and the balance before making final proof and receiving a certificate of final entry; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid.

That the Secretary of the Interior, upon proper plats and description being furnished, is hereby authorized to issue patents to Charles Picotte and Felix Brunot and W. T. Selwyn, United States interpreters, for not to exceed 1 acre of land each, so as to embrace their houses near the agency buildings upon said reservation, but not to embrace any buildings owned by the Government, upon the payment by each of said persons of the sum of $3.75.

That every person who shall sell or give away any intoxicating liquors or other intoxicants upon any of the lands by said agreement ceded, or upon any of the lands included in the Yankton Sioux Indian Reservation as created by the treaty of April 19, 1858, shall be punishable by imprisonment for not more than two years and by a fine of not more than $300.

And whereas all the terms, conditions, and considerations required by said agreement made with said tribes of Indians and by the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, complied with:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned, do hereby declare and make known that all of the lands acquired from the Yankton tribe of Sioux or Dakota Indians by the said agreement, saving and excepting the lands reserved in pursuance of the provisions of said agreement and the act of Congress ratifying the same, will, at and after the hour of 12 o'clock noon (central standard time) on the 21st day of May, 1895, and not before, be open to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions

contained in said agreement, the statutes hereinbefore specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Yankton Reservation, S. Dak., to be opened to settlement by proclamation of the President," and which schedule is made a part hereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 16th day of May, A. D. 1895, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

EDWIN F. UHL, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 1 of the act of Congress approved July 13, 1892, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1893, and for other purposes," certain articles of cession and agreement were made and concluded at the Siletz Agency, Oreg., on the 31st day of October, 1892, by and between the United States of America and the Alsea and other Indians on Siletz Reservation in Oregon, whereby said Alsea and other Indians, for the consideration therein mentioned, ceded and conveyed to the United States all their claim, right, title, and interest in and to all the unallotted lands within the limits of said reservation, except the five sections described in article 4 of the agreement, viz: Section 9, township 9 south, range 11 west of the Willamette meridian; and the west half of the west half of section 5, and the east half of section 6, and the east half of the west half of section 6, township 10 south, range 10 west; and the south half of section 8, and the north half of section 17, and section 16, township 9 south, range 9 west; and the east half of the northeast quarter and lot 3, section 20, and south half and south half of north half of section 21, township 8, range 10 west; and

Whereas it is further stipulated and agreed by article 6 that any religious society or other organization shall have the right for two years from the date of the ratification of this agreement within which to purchase the lands occupied by it with proper authority for religious or educational work among the Indians, at the rate of $2.50 per acre, the same to be conveyed to such society or organization by patent; and

Whereas it is provided in the act of Congress accepting, ratifying, and

confirming said agreement, approved August 15, 1894 (Pamphlet Statutes, pp. 286–338), section 15, that—

The mineral lands shall be disposed of under the laws applicable thereto, and the balance of the land so ceded shall be disposed of until further provided by law under the town-site law and under the provisions of the homestead law: *Provided, however*, That each settler under and in accordance with the provisions of said homestead laws shall at the time of making his original entry pay the sum of 50 cents per acre in addition to the fees now required by law, and at the time of making final proof shall pay the further sum of $1 per acre, final proof to be made within five years from the date of entry; and three years' actual residence on the land shall be established by such evidence as is now required in homestead proofs as a prerequisite to title or patent.

And whereas it is provided—

That immediately after the passage of this act the Secretary of the Interior shall, under such regulations as he may prescribe, open said lands to settlement, after proclamation by the President and sixty days' notice.

And whereas all the terms, conditions, and considerations required by said agreement made with said tribe of Indians hereinbefore mentioned and the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, provided for, paid, and complied with:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned and by said agreement, do hereby declare and make known that all of the lands acquired from the Alsea and other Indians by said agreement will, at and after the hour of 12 o'clock noon (Pacific standard time) on the 25th day of July, 1895, and not before, be opened to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreement, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Siletz Indian Reservation, in Oregon, opened to settlement by proclamation of the President dated May 16, 1895," and which schedule is made a part hereof.

Warning is hereby given that no person entering upon and occupying said lands before said hour of 12 o'clock noon of the 25th day of July, 1895, hereinbefore fixed, will ever be permitted to enter any of said lands or acquire any rights thereto, and that the officers of the United States will be required to strictly enforce this provision, which is authorized by the act of August 15, 1894, hereinbefore mentioned.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 16th day of May, A. D. 1895, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

EDWIN F. UHL, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a written agreement made on the 9th day of September 1891, the Kickapoo Nation of Indians, in the Territory of Oklahoma, ceded, conveyed, transferred, and relinquished, forever and absolutely, without any reservation whatever, all their claim, title, and interest of every kind and character in and to the lands particularly described in article 1 of the agreement: *Provided*, That in said tract of country there shall be allotted to each and every member, native and adopted, of said Kickapoo tribe of Indians 80 acres of land, in the manner and under the conditions stated in said agreement, and that when the allotments of land shall have been made and approved by the Secretary of the Interior the title thereto shall be held in trust for the allottees respectively for the period of twenty-five years in the manner and to the extent provided for in the act of Congress approved February 8, 1887 (24 U. S. Statutes at Large, p. 388); and

Whereas it is further stipulated and agreed by article 6 of the agreement that wherever in this reservation any religious society or other organization is now occupying any portion of said reservation for religious or educational work among the Indians the land so occupied may be allotted and confirmed to such society or organization, not, however, to exceed 160 acres of land to any one society or organization, so long as the same shall be so occupied and used: and such land shall not be subject to homestead entry; and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming the said agreement with the Kickapoo Indians, approved March 3, 1893 (27 U. S. Statutes at Large, pp. 557–563), section 3—

That whenever any of the lands acquired by this agreement shall by operation of law or proclamation of the President of the United States be open to settlement or entry they shall be disposed of (except sections 16 and 36 in each township thereof) to actual settlers only under the provisions of the homestead and town-site laws, except section 2301 of the Revised Statutes of the United States, which shall not apply: *Provided, however*, That each settler on said lands shall before making a final proof and receiving a certificate of entry pay to the United States for the land so taken by him, in addition to the fees provided by law and within five years from the date of the first original entry, the sum of $1.50 an acre, one-half of which shall be paid within two years; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid. Until said lands are opened to settlement by proclamation of the President of the United States no person shall be permitted to enter upon or occupy any of said lands, and any person violating this provision shall never be permitted to make entry of any of said lands or acquire any title thereto: *Provided*, That any person having attempted to but for any cause failed to acquire a title in fee under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make homestead entry upon said lands.

And whereas allotments of land in severalty to said Kickapoo Indians

have been made and approved in accordance with law and the provisions of the before-mentioned agreement with them; and

Whereas it is provided by the act of Congress for the temporary government of Oklahoma, approved May 2, 1890, section 23 (26 U. S. Statutes at Large, p. 92), that there shall be reserved public highways 4 rods wide between each section of land in said Territory, the section lines being the center of said highways; but no deduction shall be made, where cash payments are provided for, in the amount to be paid for each quarter section of land by reason of such reservation; and

Whereas it is provided in the act of Congress approved February 10, 1894 (28 U. S. Statutes at Large, p. 37)—

That every homestead settler on the public lands on the left bank of the Deep Fork River in the former Iowa Reservation, in the Territory of Oklahoma, who entered less than 160 acres of land may enter under the homestead laws other lands adjoining the land embraced in his original entry when such additional lands become subject to entry, which additional entry shall not with the lands originally entered exceed in the aggregate 160 acres: *Provided*, That where such adjoining entry is made residence shall not be required upon the lands so entered, but the residence and cultivation by the settler upon and of the land embraced in his original entry shall be considered residence and cultivation for the same length of time upon the land embraced in his additional entry; but such lands so entered shall be paid for conformably to the terms of the act acquiring the same and opening it to homestead entry.

And whereas it is further provided in the act of Congress approved March 2, 1895 (28 U. S. Statutes at Large, p. 899)—

That any State or Territory entitled to indemnity school lands or entitled to select lands for educational purposes under existing law may select such lands within the boundaries of any Indian reservation in such State or Territory from the surplus lands thereof purchased by the United States, after allotments have been made to the Indians of such reservation and prior to the opening of such reservation to settlement.

And whereas all the terms, conditions, and considerations required by said agreement made with said tribes of Indians and by the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, complied with:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned and by other the laws of the United States and by the said agreement, do hereby declare and make known that all of said lands hereinbefore described, acquired from the Kickapoo Indians by the agreement aforesaid, will, at and after the hour of 12 o'clock noon (central standard time), Thursday, the 23d day of the month of May, A. D. 1895, and not before, be open to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in the said agreement, the statutes above specified, and the laws of the United States applicable thereto, saving and excepting such tracts as have been allotted, reserved, or selected under the laws herein referred to and such tracts as may be properly selected by the Territory of Oklahoma under and in accordance

with the provisions of the act of March 2, 1895, hereinbefore quoted, prior to the time herein fixed for the opening of said lands to settlement.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Kickapoo Reservation, Oklahoma Territory, to be opened to settlement by proclamation of the President;" but notice is hereby given that should any of the lands described in the accompanying schedule be properly selected by the Territory of Oklahoma under and in accordance with the provisions of said act of Congress approved March 2, 1895, prior to the time herein fixed for the opening of said lands to settlement such tracts will not be subject to settlement or entry.

Notice, moreover, is hereby given that it is by law enacted that until said lands are opened to settlement by proclamation no person shall be permitted to enter upon or occupy the same, and any person violating this provision shall never be permitted to make entry of any of said lands or acquire any title thereto. The officers of the United States will be required to enforce this provision.

And further notice is hereby given that all of said lands lying north of the township line between townships 13 and 14 north are now attached to the Eastern land district, the office of which is at Guthrie, Oklahoma Territory, and all of said lands lying south of the township line between townships 13 and 14 north are now attached to the Oklahoma land district, the office of which is at Oklahoma, Oklahoma Territory.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of May, A. D. 1895, and of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

EDWIN F. UHL,

Acting Secretary of State.

A PROCLAMATION

BY THE PRESIDENT OF THE UNITED STATES.

Walter Q. Gresham, Secretary of State of the United States, is dead.

The President in making this distressing announcement to his fellow-countrymen speaks from the depths of a personal affliction to remind them that they too have lost a pure and able public servant, a wise and patriotic guardian of all their rights and interests, a manly and loyal American, and a generous and lovable man.

As a suitable expression of national bereavement, I direct that the diplomatic representatives of the United States in all foreign countries

display the flags over their embassies and legations at half-mast for ten days; that for a like period the flag of the United States be displayed at half-mast at all forts and military posts and at all naval stations and on all vessels of the United States.

I further order that on the day of the funeral the Executive Departments in the city of Washington be closed and that on all public buildings throughout the United States the national flag be displayed at half-mast.

Done at the city of Washington, this 28th day of May, A. D. 1895, and [SEAL.] of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

EDWIN F. UHL,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas the island of Cuba is now the seat of serious civil disturbances, accompanied by armed resistance to the authority of the established Government of Spain, a power with which the United States are and desire to remain on terms of peace and amity; and

Whereas the laws of the United States prohibit their citizens, as well as all others being within and subject to their jurisdiction, from taking part in such disturbances adversely to such established Government, by accepting or exercising commissions for warlike service against it, by enlistment or procuring others to enlist for such service, by fitting out or arming or procuring to be fitted out and armed ships of war for such service, by augmenting the force of any ship of war engaged in such service and arriving in a port of the United States, and by setting on foot or providing or preparing the means for military enterprises to be carried on from the United States against the territory of such Government:

Now, therefore, in recognition of the laws aforesaid and in discharge of the obligations of the United States toward a friendly power, and as a measure of precaution, and to the end that citizens of the United States and all others within their jurisdiction may be deterred from subjecting themselves to legal forfeitures and penalties, I, Grover Cleveland, President of the United States of America, do hereby admonish all such citizens and other persons to abstain from every violation of the laws hereinbefore referred to, and do hereby warn them that all violations of such laws will be rigorously prosecuted; and I do hereby enjoin upon all officers of the United States charged with the execution of said laws the utmost diligence in preventing violations thereof and in bringing to trial and punishment any offenders against the same.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of June, A. D. 1895, and of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND.

By the President:

RICHARD OLNEY,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Spain and her provinces and colonial possessions the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the subjects of Spain:

Now, therefore, I, Grover Cleveland, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, now exists and is fulfilled in respect to the subjects of Spain.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 10th day of July, 1895, and of the Independence of the United States the one hundred and twentieth.

GROVER CLEVELAND.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

The constant goodness and forbearance of Almighty God which have been vouchsafed to the American people during the year which is just past call for their sincere acknowledgment and devout gratitude.

To the end, therefore, that we may with thankful hearts unite in extolling the loving care of our Heavenly Father, I, Grover Cleveland, President of the United States, do hereby appoint and set apart Thursday, the 28th day of the present month of November, as a day of thanksgiving and prayer to be kept and observed by all our people.

On that day let us forego our usual occupations and in our accustomed places of worship join in rendering thanks to the Giver of Every Good and Perfect Gift for the bounteous returns that have rewarded our labors in the fields and in the busy marts of trade, for the peace and order that have prevailed throughout the land, for our protection from pestilence and dire calamity, and for the other blessings that have been showered upon us from an open hand.

And with our thanksgiving let us humbly beseech the Lord to so incline the hearts of our people unto Him that He will not leave us nor forsake us as a nation, but will continue to us His mercy and protecting care, guiding us in the path of national prosperity and happiness, enduing us with rectitude and virtue, and keeping alive within us a patriotic love for the free institutions which have been given to us as our national heritage.

And let us also on the day of our thanksgiving especially remember the poor and needy, and by deeds of charity let us show the sincerity of our gratitude.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of November, A. D. 1895, and in the one hundred and twentieth year of the Independence of the United States.

GROVER CLEVELAND.

By the President:

RICHARD OLNEY,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas section 17 of the act of August 28, 1894, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," prohibits "the importation of neat cattle and the hides of neat cattle from any foreign country into the United States;" and

Whereas it is provided by the act of Congress approved March 2, 1895,

entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1896"—

That whenever the Secretary of Agriculture shall certify to the President of the United States what countries or parts of countries are free from contagious or infectious diseases of domestic animals, and that neat cattle and hides can be imported from such countries without danger to the domestic animals of the United States, the President of the United States may suspend the prohibition of the importation of neat cattle and hides in the manner provided by law.

And whereas the Secretary of Agriculture has now certified to me that the countries of Norway, Sweden, Holland, Great Britain, Ireland, the Channel Islands, and the countries of North, Central, and South America, including Mexico, are so far free from contagious or infectious diseases of domestic animals that neat cattle may be imported from those countries into the United States, under the sanitary regulations prescribed by the Secretary of Agriculture, without danger to the domestic animals of the United States, and that so far as the countries above named, as well as all other countries from which hides are imported into the United States, are concerned, they are so far free from contagious or infectious diseases of domestic animals that hides of neat cattle can be imported from all parts of the world, under proper regulations prescribed by the Secretary of the Treasury, without danger to the domestic animals of the United States:

Now, therefore, I, Grover Cleveland, President of the United States, do hereby suspend the prohibition of the importation of neat cattle from the countries of Norway, Sweden, Holland, Great Britain, Ireland, the Channel Islands, and the countries of North, Central, and South America, including Mexico, and of the hides of neat cattle from all parts of the world; but all importations of neat cattle shall be made under the sanitary regulations prescribed by the Secretary of Agriculture and all importations of hides shall be made under proper regulations prescribed by the Secretary of the Treasury.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of November, 1895, and of the Independence of the United States of America the one hundred and twentieth.

GROVER CLEVELAND.

By the President:

RICHARD OLNEY, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas pursuant to section 5 of the act of Congress approved February 8, 1887 (24 U. S. Statutes at Large, p. 388), entitled "An act to provide for the allotment of lands in severalty to the Indians on the various reservations and to extend the protection of the laws of the United

States and the Territories over the Indians, and for other purposes," certain articles of cession and agreement were made and concluded at the Nez Percé Agency, Idaho, on the 1st day of May, 1893, by and between the United States of America and the Nez Percé Indians, whereby said Indians, for the consideration therein mentioned, ceded and conveyed to the United States all their claim, right, title, and interest to all the unallotted lands set apart as a home for their use and occupation by the second article of the treaty between said Indians and the United States concluded June 9, 1863 (14 U. S. Statutes at Large, p. 647), and included in the following boundaries, to wit:

Commencing at the northeast corner of Lake Wa-ha and running thence northerly to a point on the north bank of the Clearwater River 3 miles below the mouth of the Lapwai; thence down the north bank of the Clearwater to the mouth of the Hatwai Creek; thence due north to a point 7 miles distant; thence eastwardly to a point on the North Fork of the Clearwater 7 miles distant from its mouth; thence to a point on Oro Fino Creek 5 miles above its mouth; thence to a point on the North Fork of the South Fork of the Clearwater 1 mile above the bridge on the road leading to Elk City (so as to include all the Indian farms now within the forks); thence in a straight line westwardly to the place of beginning.

Saving and excepting the sixteenth and thirty-sixth sections of each Congressional township, which shall be reserved for common-school purposes and be subject to the laws of Idaho, and excepting the tracts described in articles 1 and 2 of the agreement, viz:

The said Nez Percé Indians hereby cede, sell, relinquish, and convey to the United States all their claim, right, title, and interest in and to all the unallotted lands within the limits of said reservation, saving and excepting the following-described tracts of lands, which are hereby retained by the said Indians, viz:

In township 34, range 4 west: Northeast quarter, north half and southeast of northwest quarter, northeast quarter of southwest quarter, north half and east half of southwest quarter, and the southeast quarter of southeast quarter, section 13; 440 acres.

In township 34, range 3 west: Sections 10, 15, 36; 1,920 acres.

In township 33, range 3 west: Section 1; northwest quarter of northeast quarter, north half of northwest quarter, section 12; 760 acres.

In township 35, range 2 west: South half of northeast quarter, northwest quarter, north half and southeast quarter of southwest quarter, southeast quarter, section 3; east half, east half of northwest quarter, southwest quarter, section 10; section 11; north half, north half of south half, section 21; east half of northeast quarter, section 20; sections 22, 27, 35; 4,200 acres.

In township 34, range 2 west: North half, southwest quarter, north half and southwest quarter and west half of southeast quarter of southeast quarter, section 13; section 14; north half, section 23; west half of east half and west half of northeast quarter, northwest quarter, north half of southwest quarter, west half of east half and northwest quarter and east half of southwest quarter of southeast quarter, section 24; section 29; 2,700 acres.

In township 33, range 2 west: West half and southeast quarter, section 6; sections 16, 22, 27; north half and north half of south half, section 34; 2,880 acres.

In township 34, range 1 west: West half, section 2; sections 3, 4; north half and southwest quarter, section 8; north half, section 9; north half and north half of southwest quarter, section 18; northwest quarter, section 17; 2,960 acres.

In township 37, range 1 east: Section 20; section 21, less south half of south half of southwest quarter of southeast quarter (10 acres); 1,270 acres.

In township 36, range 1 east: South half of sections 3, 4; sections 11, 12; 1,920 acres.

In township 36, range 2 east: Sections 16, 17, 18, 20; all of section 25 west of boundary line of reservation; sections 26, 27; 4,240 acres.

In township 35, range 2 east: North half of sections 16, 17; section 27; north half of section 34; 1,600 acres.

In township 34, range 2 east: East half and east half of west half of southeast quarter, section 24; 100 acres.

In township 34, range 3 east: South half of sections 19, 20; north half, north half of south half, southwest quarter and north half of southeast quarter of southwest quarter, north half of south half of southeast quarter, section 23; north half, north half and north half of southwest quarter and southeast quarter of southwest quarter, southeast quarter, section 24; north half and southeast quarter of northeast quarter, north half of northwest quarter, section 25; south half of northeast quarter of northeast quarter, section 26; section 29; northeast quarter of northeast quarter and south half, section 30; northwest quarter and north half of southwest quarter, section 31, northeast quarter, north half and southeast quarter of northwest quarter, section 32; northwest quarter, north half of southwest quarter, section 33; 3,700 acres.

In township 33, range 4 east: South half of southeast quarter, section 18; northeast quarter and fraction northeast of river in east half of northwest quarter, section 19; fraction west of boundary line of reservation in section 22; west half and southeast quarter of section 35; 1,440 acres.

In township 32, range 4 east: Fraction in west half of northeast quarter of southwest quarter, fraction in northwest quarter of southeast quarter, section 1; section 2; south half of section 6; west half and southeast quarter of northeast quarter of section 9; 1,410 acres.

In township 31, range 4 east: South half of northeast quarter, southeast quarter of northwest quarter, northeast quarter of southwest quarter, southeast quarter, section 17; northwest quarter, section 21; 480 acres.

Total, 32,020 acres.

ART. II. It is also stipulated and agreed that the place known as "the boom" on the Clearwater River, near the mouth of Lapwai Creek, shall be excepted from this cession and reserved for the common use of the tribe, with full right of access thereto, and that the tract of land adjoining said boom now occupied by James Moses shall be allotted to him in such manner as not to interfere with such right; also that there shall be reserved from said cession the land described as follows: "Commencing at a point at the margin of Clearwater River, on the south side thereof, which is 300 yards below where the middle thread of Lapwai Creek empties into said river; run thence up the margin of said Clearwater River at low-water mark 900 yards to a point; run thence south 250 yards to a point; thence southwesterly in a line to the southeast corner of a stone building partly finished as a church; thence west 300 yards to a point; thence from said point northerly in a straight line to the point of beginning; and also the adjoining tract of land lying southerly of said tract, on the south end thereof, commencing at the said corner of said church, and at the point 300 yards west thereof and run a line from each of said points, one of said lines running on the east side and the other on the west of said Lapwai Creek, along the foothills of each side of said creek, up the same sufficiently far so that a line being drawn east and west to intersect the aforesaid lines shall embrace within its boundaries, together with the first above-described tract of land, a sufficient quantity of land as to include and comprise 640 acres."

And excepting the land embraced in the William Craig donation claim, in township 35 north, range 3 west. (See case of Caldwell *vs.* Robinson, Federal Reporter, vol. 59, p. 653); and

Whereas it is further stipulated and agreed by article 6 of the

agreement that any religious society or other organization now occupying under proper authority, for religious or educational work among the Indians, any of the lands ceded shall have the right for two years from the date of the ratification of this agreement within which to purchase the land so occupied, at the rate of $3 per acre, the same to be conveyed to such society or organization by patent in the usual form; and

Whereas it is further agreed by article 9 of the agreement that the lands by this agreement ceded, those retained, and those allotted to the said Nez Percé Indians shall be subject for a period of twenty-five years to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country, and that the Nez Percé Indian allottees, whether under the care of an Indian agent or not, shall for a like period be subject to all the laws of the United States prohibiting the sale or other disposition of intoxicants to Indians; and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming said agreement, approved August 15, 1894 (28 U. S. Statutes at Large, pp. 286–338), section 16—

That immediately after the issuance and receipt by the Indians of trust patents for the allotted lands, as provided for in said agreement, the lands so ceded, sold, relinquished, and conveyed to the United States shall be opened to settlement by proclamation of the President and shall be subject to disposal only under the homestead, town-site, stone and timber, and mining laws of the United States, excepting the sixteenth and thirty-sixth sections in each Congressional township, which shall be reserved for common-school purposes and be subject to the laws of Idaho: *Provided*, That each settler on said lands shall before making final proof and receiving a certificate of entry pay to the United States for the lands so taken by him, in addition to the fees provided by law, the sum of $3.75 per acre for agricultural lands, one-half of which shall be paid within three years from the date of original entry, and the sum of $5 per acre for stone, timber, and mineral lands, subject to the regulations prescribed by existing laws; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid.

And whereas all the terms, conditions, and considerations required by said agreement made with said tribe of Indians hereinbefore mentioned and the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, provided for, paid, and complied with:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned and by said agreement, do hereby declare and make known that all of the unallotted and unreserved lands acquired from the Nez Percé Indians by said agreement will, at and after the hour of 12 o'clock noon (Pacific standard time) on the 18th day of November, 1895, and not before, be opened to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreement, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Nez Percé Indian Reservation, Idaho, to be opened to settlement by proclamation of the President," and which schedule is made a part hereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of November, A. D. 1895, and of the Independence of the United States the one hundred and twentieth.

GROVER CLEVELAND.

By the President:
RICHARD OLNEY,
Secretary of State.

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Departmental Rule No. 1 is hereby amended by striking out the whole of the paragraph in section 3, Department of the Interior, relating to the Geological Survey and substituting in lieu thereof the following:

In the Geological Survey: Geologist, assistant geologist, paleontologist, assistant paleontologist, chief photographer, photographer, chief chemist, chemist, assistant chemist, chief engraver, engraver, assistant engraver, lithographic engraver, map printer, lithographic printer, assistant lithographic printer, map reviser, statistical experts temporarily employed.

Approved, December 4, 1894.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Departmental Rule VII is hereby amended by adding thereto the following section, to be numbered 9:

The Commission shall certify for transfer and reappointment to any classified non-excepted place in the departmental service, upon the requisition of the head of a Department, any person who at the time of making such requisition is holding an office outside the classified service in any Executive Department at Washington to which he was appointed from a classified place in the departmental service; and upon the requisition of any head of Department the Commission shall certify for reinstatement in the classified service of said Department any such officer who within one year next preceding the date of the requisition, by the abolition of his office or otherwise, has without delinquency or misconduct been separated from said office: *Provided*, That this section shall not authorize the reappointment to the classified

service of any such officer or ex-officer who was appointed to his office from an excepted place, unless his appointment to such excepted place was by promotion from a nonexcepted place.

Approved, December 15, 1894. GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *January 3, 1895.*

Postal Rule II, clause 5, is amended by striking out paragraph (*e*) and relettering paragraph (*f*) as (*e*), so that as amended the clause will read:

5. Exceptions from examination in the classified postal service are hereby made as follows:

(*a*) Assistant postmaster, or the chief assistant to the postmaster, by whatever designation known.

(*b*) One secretary to the postmaster, when authorized by law and allowed by the Post-Office Department.

(*c*) Cashier, when authorized by law and employed under that roster title.

(*d*) Assistant cashier, when authorized by law and employed under that roster title.

(*e*) Printers and pressmen, when authorized by law and allowed by the Post-Office Department and employed as such.

Approved: GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *February 12, 1895.*

Departmental Rule VII, clause 8, is hereby amended to read as follows:

In case of the occurrence of a vacancy in any Department which the public interest requires shall be immediately filled, and which can not be so filled by certification from the eligible registers of the Commission, such vacancy may be filled by temporary appointment outside the civil service until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule: *Provided*, That such temporary appointment shall in no case continue longer than ninety days, and shall expire by limitation at the end of that time: *And provided further*, That no person shall serve longer than the period herein prescribed in any one year under such temporary appointment.

The year limitation in regard to reappointment shall begin to run on the date of the original appointment.

Every such temporary appointment and the discontinuance of the same shall at once be reported to the Commission.

Postal Rule IV, clause 4, is hereby amended to read as follows:

4. In case of the occurrence of a vacancy in a position within the classified service of any post-office which the public interest requires shall be immediately filled, where there is no eligible remaining on the proper register, such vacancy may be filled by temporary appointment outside the civil service until a regular appointment can be made under the provisions of sections 1 and 2 of this rule: *Provided*, That such temporary appointment shall in no case continue longer than ninety days, and shall expire by limitation at the end of that time: *And provided further*, That no person shall serve more than ninety days in any one year under such temporary appointment.

The year limitation in regard to reappointment shall begin to run on the date of the original appointment.

Every such temporary appointment and also the discontinuance of the same shall at once be reported to the Commission.

Approved:

GROVER CLEVELAND.

Amendments of Civil-Service Rules.

GENERAL RULES.

General Rule II: Strike out the word "five" in line 1 and insert in lieu thereof the word "six," and add at the end of the rule a new clause, as follows:

6. The classified internal-revenue service.

General Rule III, section 5: Insert after the word "may" in line 1 the words "in its discretion," and after the word "appointment" in line 2 the following: "or an applicant who has been guilty of a crime or of infamous or notoriously disgraceful conduct." As amended the section will read:

5. The Commission may, in its discretion, refuse to examine an applicant who would be physically unable to perform the duties of the place to which he desires appointment or an applicant who has been guilty of a crime or of infamous or notoriously disgraceful conduct. The reason for any such action shall be entered on the minutes of the Commission.

Section 9: In line 1 strike out the word "departmental," and after the word "service" in the same line and in line 2 the words "and the classified railway mail service."

General Rule V: In line 2 change the order of words and insert other words so as to make the phrase amended read as follows: "and postmasters and customs and internal-revenue officers and custodians of public buildings."

General Rule IV, section 2: Insert after the word "may" in line 1 the words "in its discretion."

DEPARTMENTAL RULES.

Departmental Rule II: In section 1, line 2, after the word "such," insert the word "other" and strike out the words "supplementary and special." In section 2, line 2, strike out the words "supplementary and special" and insert in lieu thereof the word "other."

Departmental Rule IV: In section 1, after the semicolon following the word "age" in line 4, insert the following: "or for the position of messenger or assistant messenger who is not under 18 years of age, or for the position of page or messenger boy who is not under 14 nor over 18 years of age."

Departmental Rule V: In section 2, paragraph 6, line 1, after the word "postal," insert the words "internal-revenue."

Departmental Rule VI: In section 1, line 2, after the word "of," strike out the words "special and supplementary" and insert in lieu thereof the word "other." In section 4, line 7, after the words "clerk-copyist," insert the words "or the messenger and watchman." In section 5, line 3, after the word "printing," insert the words "or for page or messenger boy."

Departmental Rule VII: In section 3, at the beginning of line 2, before the word "register," insert the words "the messenger or the watchman." In the second paragraph of the same section, in line 2, after the word "assistant," insert the words "or page or messenger boy."

Departmental Rule VIII: In section 1 insert a clause, to be lettered (*c*), as follows:

(*c*) From a bureau of the Treasury Department in which business relating to the internal revenue is transacted to a classified internal-revenue district, and from such a district to such a bureau in the Treasury Department, upon requisition by the Secretary of the Treasury.

The remaining clauses of the section to be relettered (*d*) and (*e*), respectively. In section 2, line 2, strike out the letter "*d*" in parentheses and insert in lieu thereof the letter "*e*," and at the end of the section add the following proviso:

Provided, That a person may be transferred from a place in one Department to a place requiring no higher examination in another Department without examination.

Departmental Rule IX: Strike out the whole of section 1 and insert in lieu thereof the following:

1. Until promotion regulations have been applied to a Department under the provisions of section 6 of General Rule III promotions therein may be made as follows:

(*a*) Any person appointed from the appropriate register to the position of messenger, assistant messenger, watchman, or other subordinate position below the positions of clerk and copyist may at any time after absolute appointment, if not barred by age limitations, be transferred to any other of said subordinate positions, but shall not be promoted to the position of clerk or copyist or to any place the duties of which are clerical: *Provided*, That printers' assistants in the Bureau of Engraving and Printing, Treasury Department, shall only be eligible for transfer to the grade of operative in that Bureau.

Strike out sections 2, 3, and 5 and renumber section 4 as 2.

Approved, March 2, 1895. GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *March 18, 1895*.

Indian Rule IV is amended by adding at the end thereof a new section, to read as follows:

7. Graduates of Indian normal schools and of normal classes in Indian schools may be employed in the Indian-school service as assistant teachers or day-school

teachers without further examination: *Provided*, That certificates of satisfactory proficiency, of good moral character, and of physical soundness, signed by the proper officials, be transmitted at the time of appointment to the Civil Service Commission: *And provided further*, That until the 1st of July, 1896, graduates of the senior classes of Carlisle, Hampton, Lincoln Institute, Chilocco, Haskell Institute, and other Indian schools of equal grade may be included in the provisions of this rule. Such teachers shall become eligible for promotion to advanced positions on presentation to the Civil Service Commission of satisfactory certificates of efficiency and fidelity in their work and of a progressive spirit in their professional interests, signed by their immediate official superiors and by the superintendent of Indian schools, and forwarded with his approval by the Secretary of the Interior, the Commission reserving to itself the right to decide as to the satisfactoriness of such certificates.

Approved: GROVER CLEVELAND.

EXECUTIVE MANSION, *March 20, 1895.*

The Executive order dated February 26, 1891,* establishing limits of punishment for enlisted men of the Army, under an act of Congress approved September 27, 1890, and which was published in General Orders, No. 21, 1891, Headquarters of the Army, is amended so as to prescribe as follows:

ARTICLE I.

In all cases of desertion the sentence may include dishonorable discharge and forfeiture of pay and allowances.

Subject to the modifications authorized in section 3 of this article, the limit of the term of confinement (at hard labor) for desertion shall be as follows:

SECTION 1. In case of surrender—

(*a*) When the deserter surrenders himself after an absence of not more than thirty days, one year.

(*b*) When the surrender is made after an absence of more than thirty days, eighteen months.

SEC. 2. In case of apprehension—

(*a*) When at the time of desertion the deserter shall not have been more than six months in the service, eighteen months.

(*b*) When he shall have been more than six months in the service, two and one-half years.

SEC. 3. The foregoing limitations are subject to modification under the following conditions:

(*a*) The punishment of a deserter may be increased by one year of confinement at hard labor in consideration of each previous conviction of desertion.

(*b*) The punishment for desertion when joined in by two or more soldiers in the execution of a conspiracy or for desertion in the presence of an outbreak of Indians or of any unlawful assemblage which the

*See pp. 5602–5607.

troops may be opposing shall not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for five years.

ARTICLE II.

Except as herein otherwise indicated punishments shall not exceed the limits prescribed in the following table:

Offenses.	Limits of punishment.
Under seventeenth article of war.	
Selling horse or arms, or both.....	Dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for 3 years.
Selling accouterments.....	Four months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Selling clothing	Two months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Losing or spoiling horse or arms through neglect.	Four months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Losing or spoiling accouterments or clothing through neglect.	One month's confinement at hard labor and forfeiture of $10; for noncommissioned officer, reduction in addition thereto.
Under twentieth article of war.	
Behaving himself with disrespect to his commanding officer.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under twenty-fourth article of war.	
Refusal to obey or using violence to officer or noncommissioned officer while quelling quarrels or disorders.	Dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for 2 years.
Under thirty-first article of war.	
Lying out of quarters.....	Forfeiture of $2; corporal, $3; sergeant, $4.
Under thirty-second article of war.	
Absence without leave—*	
Less than 1 hour.....	Forfeiture of $1; corporal, $2; sergeant, $3; first sergeant or noncommissioned officer of higher grade, $4.
From 1 to 6 hours†.....	Forfeiture of $2; corporal, $3; sergeant, $4; first sergeant or noncommissioned officer of higher grade, $5.
From 6 to 12 hours.....	Forfeiture of $3; corporal, $4; sergeant, $6; first sergeant or noncommissioned officer of higher grade, $7.
From 12 to 24 hours.....	Forfeiture of $5; corporal, $6; sergeant, $7; first sergeant or noncommissioned officer of higher grade, $10.
From 24 to 48 hours.....	Forfeiture of $6 and 5 days' confinement at hard labor; for corporal, forfeiture of $8; sergeant, $10; first sergeant or noncommissioned officer of higher grade, $12, or, for all noncommissioned officers, reduction.
From 2 to 10 days.....	Forfeiture of $10 and 10 days' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.
From 10 to 30 days.....	Forfeiture of $20 and 1 month's confinement at hard labor; for noncommissioned officer, reduction in addition thereto.

*Upon trial for desertion and conviction of absence without leave only, the court may, in addition to the limit prescribed for such absence, award a stoppage of the amount paid for apprehension.

†Including first and excluding last.

Offenses.	Limits of punishment.
Under thirty-second article of war—continued.	
Absence without leave—continued.	
From 30 to 90 days	Three months' confinement at hard labor and forfeiture of $10 per month for same period; for noncommissioned officer, reduction in addition thereto.
For 90 or more than 90 days	Dishonorable discharge and forfeiture of all pay and allowances and 6 months' confinement at hard labor.
Under thirty-third article of war.	
Failure to repair at the time fixed, etc., to the place of parade for—	
Reveille or retreat roll call and 11 p. m. inspection.	Forfeiture of $1; corporal, $2; sergeant, $3; first sergeant, $4.
Guard detail	Forfeiture of $5; corporal, $8; sergeant, $10.
Fatigue detail	Forfeiture of $2; corporal, $3; sergeant, $5.
Dress parade	
The weekly inspection	
Target practice	
Drill	
Guard mounting (by musician).	
Stable duty	
Under thirty-eighth article of war.	
Drunkenness on—	
Guard	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Duty as company cook	Forfeiture of $20.
Extra or special duty	Forfeiture of $12; for noncommissioned officer, reduction and forfeiture of $20.
At drill	
At target practice	
At parade	
At inspection	
At inspection of company guard detail	
At stable duty	
Under fortieth article of war.	
Quitting guard	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under fifty-first article of war.	
Persuading soldiers to desert	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's confinement at hard labor.
Under sixtieth article of war	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' confinement at hard labor.
Under sixty-second article of war.	
Manslaughter	Dishonorable discharge, forfeiture of all pay and allowances, and 10 years' confinement at hard labor.
Assault with intent to kill	Dishonorable discharge, forfeiture of all pay and allowances, and 10 years' confinement at hard labor.
Burglary	Dishonorable discharge, forfeiture of all pay and allowances, and 5 years' confinement at hard labor.
Forgery	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' confinement at hard labor.
Perjury	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' confinement at hard labor.

Offenses.	Limits of punishment.
Under sixty-second article of war—continued.	
False swearing	Dishonorable discharge, forfeiture of all pay and allowances, and 2 years' confinement at hard labor.
Robbery	Dishonorable discharge, forfeiture of all pay and allowances, and 6 years' confinement at hard labor.
Larceny or embezzlement of property of the value of—*	
More than $100	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' confinement at hard labor.
$100 or less and more than $50	Dishonorable discharge, forfeiture of all pay and allowances, and 3 years' confinement at hard labor.
$50 or less and more than $20	Dishonorable discharge, forfeiture of all pay and allowances, and 2 years' confinement at hard labor.
$20 or less	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's confinement at hard labor.
Fraudulent enlistment procured by false representation or concealment of a fact in regard to a prior enlistment or discharge or in regard to conviction of a civil or military crime.	Dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for 1 year.
Fraudulent enlistment, other cases of.	Dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for 6 months.
Disobedience of orders, involving willful defiance of the authority of a noncommissioned officer in the execution of his office.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Using threatening or insulting language or behaving in an insubordinate manner to a noncommissioned officer while in the execution of his office.	One month's confinement at hard labor and forfeiture of $10; for noncommissioned officer, reduction in addition thereto.
Absence from fatigue duty	Forfeiture of $4; corporal, $5; sergeant, $6.
Absence from extra or special duty.	Forfeiture of $4; corporal, $5; sergeant, $6.
Absence from duty as company or hospital cook.	Forfeiture of $10.
Introducing liquor into post or camp in violation of standing orders.	Forfeiture of $3; for noncommissioned officer, reduction and forfeiture of $5.
Drunkenness at post or in quarters.	Forfeiture of $3; for noncommissioned officer, reduction and forfeiture of $5.
Drunkenness and disorderly conduct, causing the offender's arrest and conviction by civil authorities at a place within 10 miles of his station.	Forfeiture of $10 and 7 days' confinement at hard labor; for noncommissioned officer, reduction and forfeiture of $12.
Noisy or disorderly conduct in quarters.	Forfeiture of $4; corporal, $7; sergeant, $10.
Abuse by noncommissioned officer of his authority over an inferior.	Reduction, 3 months' confinement at hard labor, and forfeiture of $10 per month for the same period.
Noncommissioned officer encouraging gambling.	Reduction and forfeiture of $5.
Noncommissioned officer making false report.	Reduction, forfeiture of $8, and 10 days' confinement at hard labor.
Sentinel allowing a prisoner under his charge to escape through neglect.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period.
Sentinel willfully suffering prisoner under his charge to escape.	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's confinement at hard labor.

*In specifications to charges of larceny or embezzlement the value of the property shall be stated.

Offenses.	Limits of punishment.
Under sixty-second article of war—continued.	
Sentinel allowing a prisoner under his charge to obtain liquor.	Two months' confinement at hard labor and forfeiture of $10 per month for the same period.
Sentinel or member of guard drinking liquor with prisoners.	Two months' confinement at hard labor and forfeiture of $10 per month for the same period.
Disrespect or affront to a sentinel..	Two months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Resisting or disobeying sentinel in lawful execution of his duty.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Lewd or indecent exposure of person.	Three months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.

ARTICLE III.

SECTION 1. When a soldier shall be convicted of an offense the punishment for which, as authorized by Article II of this order or the custom of the service, does not exceed that which an inferior court-martial may award, the punishment so authorized may be increased by one-half for every previous conviction of one or more offenses within eighteen months preceding the trial and during the current enlistment: *Provided*, That the increase of punishment for five or more previous convictions shall not exceed that thus authorized when there are four previous convictions, and that when one or more of such five or more previous convictions shall have been by general court-martial or when such convictions shall have occurred within one year preceding the trial the limit of punishment shall be dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for three months.

When the conviction is of an offense punishable under Article II of this order or the custom of the service with a greater punishment than an inferior court-martial can award, but not punishable with dishonorable discharge, the sentence may on proof of five or more previous convictions within eighteen months and during the current enlistment impose dishonorable discharge and forfeiture of all pay and allowances in addition to the authorized confinement, and when this confinement is less than three months it may be increased to three months.

When a noncommissioned officer is convicted of an offense not punishable with reduction, he may, if he shall have been convicted of a military offense within a year and during the current enlistment, be sentenced to reduction in addition to the punishment already authorized.

SEC. 2. In every case when an offense on trial before a court-martial is of a character admitting of the introduction of evidence of previous convictions and the accused is convicted the court, after determining its findings, will be opened for the purpose of ascertaining whether there

is such evidence, and, if so, of hearing it. These convictions must be proved by the records of previous trials or by duly authenticated orders promulgating the same, except in the cases of conviction by summary court, when a duly authenticated copy of the record of said court shall be deemed sufficient proof. Charges forwarded to the authority ordering a general court-martial or submitted to a summary, garrison, or regimental court must be accompanied by the proper evidence of such previous convictions as may have to be considered in determining upon a sentence.

ARTICLE IV.

When a soldier shall on one arraignment be convicted of two or more offenses none of which is punishable under Article II of this order or the custom of the service with dishonorable discharge, but the aggregate term of confinement for which may exceed six months, dishonorable discharge with forfeiture of pay and allowances may be awarded in addition to the authorized confinement.

ARTICLE V.

This order prescribes the *maximum* limit of punishment for the offenses named, and this limit is intended for those cases in which the severest punishment should be awarded. In other cases the punishment should be graded down according to the extenuating circumstances. Offenses not herein provided for remain punishable as authorized by the Articles of War and the custom of the service.

ARTICLE VI.

Summary courts are subject to the restrictions named in the eighty-third article of war. Soldiers against whom charges may be preferred for trial by summary court shall not be confined in the guardhouse, but shall be placed in arrest in quarters before and during trial and while awaiting sentence, except when in particular cases restraint may be necessary.

ARTICLE VII.

The following substitutions for punishments named in Article II of this order are authorized at the discretion of the court:

Two days' confinement at hard labor for $1 forfeiture; one day's solitary confinement on bread and water diet for two days' confinement at hard labor or for $1 forfeiture: *Provided*, That a noncommissioned officer not sentenced to reduction shall not be subject to confinement: *And provided*, That solitary confinement shall not exceed fourteen days at one time nor be repeated until fourteen days have elapsed, and shall not exceed eighty-four days in one year. Whenever the limit herein prescribed for an offense or offenses may be brought within the punishing power of inferior courts-martial, as defined by the eighty-third article of war, by substitution of punishment under the provisions of this article, the said courts have jurisdiction of such offense or offenses.

ARTICLE VIII.

Noncommissioned officers above the rank of corporal shall not, if they object thereto, be brought to trial before regimental, garrison, or summary courts-martial without the authority of the officer competent to order their trial by general court-martial, nor shall sergeants of the post noncommissioned staff or hospital stewards be reduced, but they may be dishonorably discharged whenever reduction is included in the limit of punishment.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *April 15, 1895.*

Whereas on November 2, 1894, Departmental Rule II, section 4, Customs Rule II, section 6, Postal Rule II, section 6, Railway Mail Rule II, section 6, were amended to declare that no person appointed to a place under any exception to examination should be transferred from such place to another place not also excepted from examination; and

Whereas it was not my intention that these several amendments should be retroactive in their effect:

I therefore direct that the word "hereafter" be inserted after the word "person" in the first line of each of said sections as of the date of said amendments, viz, November 2, 1894.

Approved:

GROVER CLEVELAND.

CIVIL SERVICE.—INTERNAL-REVENUE RULES.

ADOPTING AND PROMULGATING ORDER.

MAY 7, 1895.

In the exercise of the power vested in him by the Constitution, by the seventeen hundred and fifty-third section of the Revised Statutes, and the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the President hereby makes and promulgates the following rules concerning the classified internal-revenue service, to be known as the Internal-Revenue Rules:

INTERNAL-REVENUE RULE I.

The classified internal-revenue service shall include all the clerks, storekeepers, storekeepers and gaugers, and gaugers classified under the provisions of section 6 of the act to regulate and improve the civil service of the United States, approved January 16, 1883.

INTERNAL-REVENUE RULE II.

1. To test fitness for admission to the classified internal-revenue service, examinations of a practical character shall be provided on such subjects as the Commission may direct.

2. The following age limitations shall apply to applicants for the classified internal-revenue service: For clerk, not under 18 years of age; for storekeepers, storekeepers and gaugers, and for gaugers, not under 21 years of age.

3. Blank forms of application shall be furnished by the secretaries of the several internal-revenue boards of examiners to any person desiring to be examined who applies therefor in person or by letter in his own handwriting.

4. The date of reception of each application and also of its approval by the board shall be noted on the application paper.

5. Exceptions from examination in the classified internal-revenue service are hereby made as follows:

6. No person appointed to a place excepted from examination by any internal-revenue rule shall be transferred from such place to another place not also excepted from examination.

INTERNAL-REVENUE RULE III.

1. The Commission shall appoint in each classified internal-revenue district a board of examiners, which shall—

(*a*) Conduct all examinations for admission to or promotion in the classified service of the internal-revenue district in which the board is located.

(*b*) Conduct such other examinations as the Commission may direct.

(*c*) Mark the papers of such examinations as the Commission may direct.

2. The papers of every examination shall be marked under the direction of the Commission, and each competitor shall be graded on a scale of 100, according to general average determined by the marks of the examiners.

3. Immediately after the general average shall have been ascertained each competitor shall be notified that he has passed or has failed to pass.

4. No competitor who has failed to pass an examination and no eligible during the period of his eligibility shall be allowed reexamination unless he shall furnish satisfactory evidence to the Commission that at the time of his examination he was, because of illness or other good cause, incapable of doing himself justice; and his rating on such reexamination, if an eligible, shall cancel and be a substitute for his rating on his previous examination.

5. All competitors whose claim to preference under section 1754, Revised Statutes, has been allowed by the Commission who attain a general average of 65 per cent or over, and all other competitors who attain a general average of 70 per cent or over, shall be eligible for appointment to the place for which they were examined, and the names of all the eligibles shall be entered in the order of grade on the proper register of eligibles.

6. When two or more eligibles are of the same grade, preference in certification shall be determined by the order in which their application papers were filed.

7. The period of eligibility shall be one year from the date on which the name of the eligible is entered on the register.

INTERNAL-REVENUE RULE IV.

1. All vacancies, unless filled by promotion, reduction, transfer, or reappointment, shall be filled in the following manner:

(*a*) When a vacancy occurs in any district, the collector thereof shall report the fact to the Commissioner of Internal Revenue, stating the class in which the vacancy occurs and whether in his judgment the place should be filled. If the Commissioner decides that the good of the public service requires that it be filled, he shall request the secretary of the board of examiners of that district to certify to him the names of persons eligible to the vacant place.

(*b*) If fitness for the vacant place is tested by competitive examination, the names of the three eligibles highest in grade on the proper register who have not been three times certified shall be certified; but if the request indicates the sex of the eligibles desired the three highest in grade of that sex shall be certified: *Provided*, That the eligibles upon any register who have been allowed preference under section 1754 of the Revised Statutes shall be certified, according to their grade, before all other eligibles thereon: *Provided further*, That no certification for an appointment

shall be made under this clause while there are persons in the district in which any vacancy may exist, who have been removed from the service in that district on account of a reduction of the force or otherwise, who are eligible for reinstatement under Internal-Revenue Rule VII, and who are willing to reenter the service by reinstatement. Every collector of internal revenue shall keep a list of all such persons in his office, and said persons shall have preference for reinstatement to the service in the order of their separation therefrom.

(*c*) No eligible shall be certified more than three times.

2. Of the three names certified to him the Commissioner of Internal Revenue shall select one, and may select more than one if more than one vacancy exists at the time the certification is made. If the vacancy is in the class of clerk, the Commissioner shall certify the name of the person selected by him to the collector of the district in which the vacancy occurs and the collector shall make the appointment. If the vacancy is in the storekeepers', gaugers', or storekeepers and gaugers' class, the Commissioner of Internal Revenue shall certify the name to the Secretary of the Treasury with his recommendation that the person whose name is thus certified be appointed: *Provided*, That if any objection is made under section 3 of General Rule IV to any eligible certified, and is sustained by the Commission, another eligible shall be certified in the place of the one objected to.

3. Each person thus selected for appointment shall be notified, and upon indicating his acceptance shall be appointed for a probationary period of six months, at the end of which period, if his conduct and capacity be satisfactory to the appointing officer, he shall receive absolute appointment; but if his conduct and capacity be not satisfactory to said officer he shall be so notified, and this notification shall be his discharge from the service: *Provided*, That any probationer may be discharged during probation for misconduct or evident unfitness or incapacity.

4. The Commissioner of Internal Revenue shall require the collector under whom a probationer is serving to carefully observe and report in writing upon the services rendered by and the character and qualifications of such probationer as to punctuality, industry, habits, ability, and adaptability. These reports shall be preserved on file in the office of the collector, and copies thereof shall be filed with the Commissioner of Internal Revenue for such disposition as the Secretary of the Treasury may direct. The Civil Service Commission may prescribe the form and manner in which these reports shall be made.

5. In case of the occurrence of a vacancy in the classified service of any internal-revenue collection district which the public interest requires shall be immediately filled, and there is no eligible entitled to reinstatement under section 1, clause (*b*), of this rule or remaining on the proper register, such vacancy, if in the class of storekeeper, storekeeper and gauger, or clerk, may be filled without examination and certification by a temporary designation by the collector of the district of some suitable person to perform the duties of the position until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule: *Provided*, That service under such temporary designation shall in no case continue longer than six months, and shall expire by limitation at the end of that time: *And provided further*, That no person shall serve more than six months in any one year under such temporary designation, the year limitation in regard to such designation to begin to run on the date thereof.

Every such temporary designation and also the discontinuance of the same shall at once be reported to the Commission.

INTERNAL-REVENUE RULE V.

Until promotion regulations shall have been applied to a classified internal-revenue collection district promotions therein may be made upon any test of fitness determined upon by the Commissioner of Internal Revenue, with the approval of the

Commission: *Provided*, That no employee shall be promoted to any grade he could not enter by appointment under the minimum age limitation applied thereto by section 2 of Internal-Revenue Rule II.

INTERNAL-REVENUE RULE VI.

Transfers may be made as follows:

From one classified internal-revenue collection district to another, from any classified internal-revenue collection district to a bureau in the Treasury Department in which business relating to the internal revenue is transacted, and from such a bureau in the Treasury Department to such a district, upon the requisition of the Secretary of the Treasury and the certification of the Commission, the appointment upon such transfer to be made by the Secretary of the Treasury, upon the recommendation of the Commissioner of Internal Revenue, if the place to be filled by such transfer is that of storekeeper, storekeeper and gauger, or gauger: *Provided*, That no person shall be transferred as herein authorized who is not within the age limitations prescribed by the civil-service rules for the place to which he is to be transferred and who has not been absolutely appointed, or, if appointed without civil-service examination, who has not served six months continuously in the district or bureau from which he is to be transferred.

INTERNAL-REVENUE RULE VII.

Upon the requisition of the Commissioner of Internal Revenue the secretary of the board of examiners for his district shall certify for reinstatement in a grade requiring no higher examination than the one in which he was formerly employed any person who within one year next preceding the date of the requisition has through no delinquency or misconduct been separated from the classified service of said district: *Provided*, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service of the United States in the late War of the Rebellion and was honorably discharged therefrom, or the widow of any such person, without regard to the length of time he or she has been separated from the service.

INTERNAL-REVENUE RULE VIII.

Each collector in the classified internal-revenue service shall report to the board of examiners—

(*a*) Every probational and every absolute appointment and every appointment to an excepted or to an unclassified place in the internal-revenue service under him.

(*b*) Every refusal to make an absolute appointment and the reason therefor, and every refusal to accept an appointment.

(*c*) Every separation from the internal-revenue service under him and the cause of such separation, whether death, resignation, or dismissal.

(*d*) Every restoration to the internal-revenue service under him.

GROVER CLEVELAND.

AMENDMENT OF CUSTOMS RULE IV.

Customs Rule IV is hereby amended by adding thereto the following section, to be numbered 5:

5. In case of the occurrence of a vacancy in the classified service of any customs district which the public interest requires shall be immediately filled, and there is no eligible remaining on the proper register, such vacancy may be filled by temporary appointment without examination and certification until a regular appointment can be made under the provisions of sections 1 and 2 of this rule: *Provided*, That

such temporary appointment shall in no case continue longer than ninety days and shall expire by limitation at the end of that time: *And provided further*, That no person shall serve more than ninety days in any one year under such temporary appointment, the year limitation in regard to such appointment to begin to run on the date thereof.

Every such temporary appointment and also the discontinuance of the same shall at once be reported to the Commission.

Approved, May 18, 1895.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION,
Washington, D. C., May 16, 1895.

Special Departmental Rule No. 1 is hereby amended as follows:

Include among the places excepted from examination therein the following:

6. In the Department of Agriculture: The chief of the dairy division.

Approved, May 24, 1895.

GROVER CLEVELAND, *President.*

CIVIL SERVICE.—EXECUTIVE ORDER REVOKED.

EXECUTIVE MANSION, *May 24, 1895.*

The Executive order heretofore issued under General Rule III, section 2, clause (*c*), that provides for the appointment of four clerks in the division of accounts and disbursements in the Department of Agriculture by noncompetitive examination is hereby revoked, and hereafter these positions will be filled through competitive examination.

Approved:

GROVER CLEVELAND.

CIVIL SERVICE.—AMENDMENT OF CLASSIFICATION.

EXECUTIVE MANSION, *May 24, 1895.*

In pursuance of the authority contained in the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the Secretary of Agriculture is hereby directed to amend the classification of the Department of Agriculture so as to include among the classes covered thereby clerks, microscopists, assistant microscopists, stock examiners, taggers, agents, and all other employees, except temporary laborers in the Bureau of Animal Industry of the Department of Agriculture outside of Washington, D. C., all State statistical agents of the Department of Agriculture outside of Washington, D. C., and all messengers in the Weather Bureau of the Department of Agriculture outside of Washington, D. C. The classification when so amended shall take effect on July 1, 1895.

Approved:

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *May 24, 1895.*

Special Departmental Rule No. 1, section 6, is hereby amended by striking out the whole of said section and substituting therefor the following:

6. In the Department of Agriculture, in the office of the Secretary: Private secretary to the chief clerk, and wood engravers; scientific or professional experts employed for a period of not exceeding six months outside of Washington, D. C., in investigations specially authorized by Congress, but no such expert shall be reappointed as an expert unless the United States Civil Service Commission shall certify that such person has passed a suitable examination and is eligible for such appointment. This exception does not include any person to be employed in that Department in Washington, D. C., nor any person whose duties are not scientific or professional or who is not expert in the particular line of scientific or professional inquiry in which such person is to be employed.

Approved:

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *May 24, 1895.*

Special Departmental Rule No. 1, clause 3, is hereby amended by adding to the places excepted from examination in the Department of the Interior the following:

In the Bureau of Education: Specialist in foreign educational systems and specialist in education as a preventive of pauperism and crime.

Approved:

GROVER CLEVELAND.

AMENDMENTS OF CIVIL-SERVICE RULES.

DEPARTMENTAL RULE II.

EXECUTIVE MANSION, *May 24, 1895.*

Section 3 is hereby amended as follows: At the end of clause (*b*) add the following: "nor the cashier, nor the two clerks employed as assistant disbursing clerks in the division of accounts and disbursements in the Department of Agriculture."

At the end of clause (*c*) add the following: "but not including the disbursing clerk in the division of accounts and disbursements in the Department of Agriculture."

At the end of clause (*e*) add the following: "except those of the Weather Bureau and the Bureau of Animal Industry, in the Department of Agriculture."

At the end of clause (*f*) add the following: "except all chiefs of division in the Department of Agriculture."

The section as amended will read:

3. Exceptions from examination in the classified departmental service are hereby made as follows:

(*a*) One private secretary or one confidential clerk of the head of each classified Department and of each Assistant Secretary thereof, and also of each head of bureau appointed by the President by and with the advice and consent of the Senate.

(*b*) Direct custodians of money for whose fidelity another officer is under official bond; but this exception shall not include any officer below the grade of assistant cashier or assistant teller, nor the cashier, nor the two clerks employed as assistant disbursing clerks in the division of accounts and disbursements in the Department of Agriculture.

(*c*) Disbursing officers who give bonds, but not including the disbursing clerk in the division of accounts and disbursements in the Department of Agriculture.

(*d*) Persons employed exclusively in the secret service of the Government.

(*e*) Chief clerks, except those of the Weather Bureau and of the Bureau of Animal Industry, in the Department of Agriculture.

(*f*) Chiefs of division, except all chiefs of division in the Department of Agriculture.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1895.*

To the Heads of the Executive Departments:

As a mark of respect to the memory of the Hon. Walter Q. Gresham, late Secretary of State, the President directs that the several Executive Departments and the Government Printing Office, in the city of Washington, be closed on Wednesday, the 29th day of May, 1895, the day of the funeral.

HENRY T. THURBER,
Private Secretary.

EXECUTIVE MANSION, *May 28, 1895.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Thursday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers and sailors who fell in defense of the Union during the War of the Rebellion.

GROVER CLEVELAND.

CIVIL SERVICE.—GOVERNMENT PRINTING OFFICE RULES.

ADOPTING AND PROMULGATING ORDER.

EXECUTIVE MANSION, *June 13, 1895.*

In the exercise of the power vested in him by the Constitution, by the seventeen hundred and fifty-third section of the Revised Statutes, and the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the President hereby makes

THE WHITE HOUSE

WHITE HOUSE.

The name of "White House" was given officially to the Executive Mansion during its occupancy by President Roosevelt, thus squaring official with unofficial nomenclature. The White House was begun in 1792, was occupied first by President Adams in 1800, was burned down by the British in 1814, and was restored in 1818. The building represents the English Renaissance style of architecture, and its name arises from the fact that its freestone is painted white. It is 170 feet long, 86 feet deep and two stories high. The first floor is used for public and official purposes, and the President's living quarters occupy the second floor. Among its famous rooms are the Blue Room, which is used for diplomatic functions, and the East Room, which is used for public receptions. (See article White House in Encyclopedic Index.)

and promulgates the following rules concerning the classified service of the Government Printing Office, to be known as the Government Printing Office Rules:

RULE I.

1. The classified service of the Government Printing Office shall include all persons employed in that office except those appointed by and with the advice and consent of the Senate and unskilled laborers or workmen.

2. The officers, clerks, and other employees of the Government Printing Office are hereby arranged in the following classes:

Class 1.—All persons receiving an annual salary of less than $720, or a compensation at the rate of less than $720 per annum.

Class 2.—All persons receiving an annual salary of $720 or more, or a compensation at the rate of $720 or more, but less than $840 per annum.

Class 3.—All persons receiving an annual salary of $840 or more, or a compensation at the rate of $840 or more, but less than $900 per annum.

Class 4.—All persons receiving an annual salary of $900 or more, or a compensation at the rate of $900 or more, but less than $1,000 per annum.

Class 5.—All persons receiving an annual salary of $1,000 or more, or a compensation at the rate of $1,000 or more, but less than $1,200 per annum.

Class 6.—All persons receiving an annual salary of $1,200 or more, or a compensation at the rate of $1,200 or more, but less than $1,400 per annum.

Class 7.—All persons receiving an annual salary of $1,400 or more, or a compensation at the rate of $1,400 or more, but less than $1,600 per annum.

Class 8.—All persons receiving an annual salary of $1,600 or more, or a compensation at the rate of $1,600 or more, but less than $1,800 per annum.

Class 9.—All persons receiving an annual salary of $1,800 or more, or a compensation at the rate of $1,800 or more, but less than $2,000 per annum.

Class 10.—All persons receiving an annual salary of $2,000 or more, or a compensation at the rate of $2,000 or more per annum.

RULE II.

1. To test fitness for admission to the classified service of the Government Printing Office, examinations of a practical character shall be provided by the Commission. If the trade or occupation is such that a competitive test can not be made, the Commission shall provide regulations for the registration of applicants without competitive tests.

2. Any male citizen of the United States not under 21 or over 45 years of age and any female citizen not under 18 or over 35 years of age may be examined for positions in the Government Printing Office.

3. No application for a position in the Government Printing Office which belongs to one of the recognized mechanical trades shall be received from any applicant who has not served at least five years at the particular trade to which the position for which he applies belongs, one year of which service must have been rendered as a journeyman.

4. Blank forms of application shall be furnished by the Commission, and the date of reception and also of approval by the Commission of each application shall be entered on the application paper.

RULE III.

1. The grade or standing of every competitor shall be determined under regulations made by the Commission, and each competitor shall be duly notified whether or not he is eligible for appointment.

2. No competitor who has failed to obtain an eligible standing shall be admitted

to another test within six months from the date of failure unless he shall furnish satisfactory evidence to the Commission that at the time of his examination he was unable to do himself justice because of illness or other good cause.

3. No eligible shall be admitted to a test during the period of his eligibility unless he shall furnish satisfactory evidence to the Commission that at the time of his examination he was unable to do himself justice because of illness or other good cause.

4. All competitors whose claims of preference under section 1754 of the Revised Statutes have been allowed by the Commission who attain a general average of 65 per cent or over, and all other competitors who attain a general average of 70 per cent or over, shall be eligible for appointment to the place for which they were examined. The names of all competitors thus rendered eligible shall be entered in the order of grade on the proper register of eligibles.

5. The Commission shall establish regulations for the order of certification of applicants who are registered without competitive examinations under the provisions of Rule II, paragraph 1.

6. When two or more eligibles are of the same grade, preference in certification shall be determined by the order in which the application papers are filed.

7. The period of eligibility to appointment shall be one year from the date on which the name of the eligible is entered on the register, unless otherwise determined by regulations by the Commission.

RULE IV.

1. All vacancies, unless filled by promotion, transfer, or reappointment, shall be filled in the following manner:

(*a*) The Public Printer shall, in form and manner to be prescribed by the Commission, request the certification to him of either males or females, or both, eligible to the vacant place.

(*b*) If fitness for the vacant place is tested by competitive examination, the Commission shall certify from the proper register the names of the three eligibles thereon, of the sex or sexes called for, having the highest averages, who have not been three times certified: *Provided*, That the eligibles upon any register who have been allowed preference under section 1754 of the Revised Statutes shall be certified according to their grade before all other eligibles thereon: *And provided further*, That if the vacancy is in a position for which a competitive examination can not be provided certification shall be made of the names of the first three eligibles on the register, of the sex or sexes called for, who have not been three times certified.

2. Of the three names certified to him the Public Printer shall select one, and if at the time of making this selection there are more vacancies than one he may select more than one: *Provided*, That if the Public Printer shall object in writing to any eligible named in the certification, stating that because of physical incapacity or for other good cause particularly specified such eligible is not capable of properly performing the duties of the vacant place, the Commission may, upon investigation and ascertainment of the fact that the objection made is good and well founded, direct the certification of another eligible in place of the eligible to whom objection is made.

3. When a person designated for appointment shall have reported in person to the Public Printer, he shall be appointed for a probational period of six months, at the end of which period, if his conduct and capacity be satisfactory to the Public Printer, he shall receive absolute appointment; but if his conduct and capacity be not satisfactory he shall be notified that he will not receive absolute appointment, and this notification shall discharge him from the service. The Public Printer shall require the officer under whom the probationer may be serving to carefully observe and report in writing upon the services rendered by and the character and qualifications of

such probationer as to punctuality, industry, habits, ability, and adaptability. These reports shall be preserved on file, and the Commission may prescribe the form and manner in which they shall be made.

4. Any person appointed to a position which belongs to one of the recognized mechanical trades may upon reporting for appointment be subjected to a practical test under the supervision of a board designated by the Commission, and if he or she fails to attain a general average of 70 per cent on a maximum of 100 per cent he or she shall be rejected for appointment.

5. In case of public and pressing exigency, demanding the immediate employment of skilled and experienced workmen who can not be at once supplied in the manner provided for in section 2 of this rule, or by transfer under Rule VI, or reinstatement under Rule VII, there may be employed without examination or certification for a period not to exceed thirty days, which with the consent of the Commission may be extended in periods of thirty days each, any persons who have the requisite knowledge or experience who may be available: *Provided*, That no person shall serve more than ninety days in any one year under such temporary appointment. The year limitation in regard to appointment shall begin to run at the date of the original appointment. Every such temporary appointment and also the discontinuance of the same shall be at once reported to the Commission.

RULE V.

1. Until promotion regulations shall have been applied to the classified service of the Government Printing Office promotions therein may be made upon any test of fitness determined upon by the Public Printer if not disapproved by the Commission.

RULE VI.

1. Transfers may be made as follows:

(*a*) From a position in the classified service of the Government Printing Office requiring a knowledge of some mechanical trade to a position in any one of the Executive Departments requiring a knowledge of the same mechanical trade, upon requisition from the head of the Department to which the transfer is to be made and the consent of the Public Printer: *Provided*, That a person so transferred shall not be transferred to another position in one of the Executive Departments unless such other position requires a knowledge of the same mechanical trade upon which the original transfer was based, nor until he has served one year in the position to which he was originally transferred.

(*b*) From any Executive Department to the classified service of the Government Printing Office upon requisition from the Public Printer and the consent of the head of the Department from which the transfer is to be made.

2. No person shall be transferred as herein authorized until after absolute appointment and until the Commission shall have certified to the officer making the transfer requisition that the person whom it is proposed to transfer has passed an examination to test fitness for the place to which he or she is to be transferred. No person shall be transferred to any place from which he or she may be barred by age limitations for original entrance or by the rules regulating the apportionment of appointments among the several States and Territories and the District of Columbia.

RULE VII.

Upon requisition of the Public Printer the Commission shall certify for reinstatement in the Government Printing Office, in a grade requiring no higher examination than the one in which he was formerly employed, any person who within one year next preceding the date of the requisition has through no delinquency or misconduct been separated from the classified service of the Government Printing

Office: *Provided*, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service of the United States in the late War of the Rebellion and was honorably discharged therefrom, or the widow of any such person, without regard to the length of time he or she has been separated from the service.

RULE VIII.

The Public Printer shall report to the Commission—

(*a*) Every probational and every absolute appointment to the service of the Government Printing Office.

(*b*) Every refusal to make an absolute appointment and the reason therefor, and every declination of an appointment.

(*c*) Every separation from the service of the Government Printing Office and the cause of such separation, whether death, resignation, or dismissal.

Approved:

GROVER CLEVELAND.

CIVIL SERVICE.—EXECUTIVE ORDER WITHDRAWING ENGINEERS AND ASSISTANT ENGINEERS FROM THE LIST OF PLACES TO BE FILLED BY NONCOMPETITIVE EXAMINATION.

So much of Executive orders heretofore issued under General Rule III, section 2, clause (*c*), as provides for the appointment of engineers and assistant engineers by noncompetitive examination is hereby revoked, and hereafter engineers and assistant engineers will be appointed by competitive examination.

Approved, June 25, 1895.

GROVER CLEVELAND.

In the exercise of the power vested in him by the Constitution, by the seventeen hundred and fifty-third section of the Revised Statutes, and the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the President hereby makes and promulgates the following rule to cancel and be in lieu of Customs Rule V of the Revised Civil-Service Rules:

CUSTOMS RULE V.

1. Until promotion regulations have been applied to a classified customs district the following promotions may be made therein at any time after absolute appointment:

(*a*) Any employee in any grade, upon any test of fitness determined upon by the nominating officer, to any vacant place in the class next above the one in which he may be serving, except to the positions of weigher and gauger.

(*b*) Any employee in any grade may be promoted or transferred to a vacancy in the lowest class of the grade of examiner after passing the examiner examination, to a vacancy in the lowest class of the grade of weigher after passing the weigher examination, to a vacancy in the lowest class of the grade of gauger after passing the

gauger examination, or to a vacancy in the lowest class of any other grade than the one in which he may be serving upon passing the examination provided for that grade.

Approved, July 11, 1895.

GROVER CLEVELAND.

CIVIL SERVICE.—CLASSIFICATION OF THE PENSION AGENCIES OF THE INTERIOR DEPARTMENT.

EXECUTIVE MANSION, *July 15, 1895.*

In the exercise of the power vested in the President by the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, I hereby direct the Secretary of the Interior to amend the classification of the Department of the Interior so as to include among the employees classified thereunder the officers, clerks, and other employees of the pension agencies of said Department.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

DEPARTMENTAL RULE VIII.

Section 1, clause (*a*), is hereby amended as follows: Strike out the period after the word "made" in the second line, insert a semicolon, and add the following:

But transfers from a pension agency of the Interior Department may be made only as follows: From a pension agency of the Interior Department to the office of the Secretary of the Interior, or of the Assistant Attorney-General for the Interior Department, or to the Pension Office, or from any of the above-named offices to a pension agency, or from one pension agency to another pension agency, upon requisition of the Secretary of the Interior: *Provided*, That a transfer from a pension agency to a position in the Interior Department shall not be made when the person to be transferred would not be eligible to original appointment in the departmental service under the law requiring an apportionment of appointments among the States, Territories, and the District of Columbia according to population.

The section and clause as amended will read:

1. Transfers may be made as follows:

(*a*) From one Department to another, upon requisition by the head of the Department to which the transfer is to be made; but transfers from a pension agency of the Interior Department may be made only as follows: From a pension agency of the Interior Department to the office of the Secretary of the Interior, or of the Assistant Attorney-General for the Interior Department, or to the Pension Office, or from any of the above-named offices to a pension agency, or from one pension agency to another pension agency, upon requisition of the Secretary of the Interior: *Provided*, That a transfer from a pension agency to a position in the Interior Department shall not be made when the person to be transferred would not be eligible to original appointment in the departmental service under the law requiring an apportionment of appointments among the States, Territories, and the District of Columbia according to population.

Approved, July 15, 1895.

GROVER CLEVELAND.

Amendments of Civil-Service Rules.

DEPARTMENTAL RULE II.

Section 3, providing for exceptions from examination in the classified departmental service, is hereby amended as follows by the insertion of clause (*g*):

One designated clerk at each pension agency (designated to sign official checks for the pension agent).

Section 4 is hereby amended as follows: In the third line, after the word "examination," add the following proviso:

Provided, That any person employed in an excepted place in any office or bureau at the time when said office or bureau is brought into the classified service, or any person transferred directly from a nonexcepted to an excepted place in the office or bureau in which he is serving, may at any time be directly transferred from such excepted place to any nonexcepted place in the office or bureau in which he is serving.

The section as amended will read:

4. No person hereafter appointed to a place under the exceptions to examination made by any departmental rule shall be transferred from such place to a place not also excepted from examination: *Provided*, That any person employed in an excepted place in any office or bureau at the time when said office or bureau is brought into the classified service, or any person transferred directly from a nonexcepted to an excepted place in the office or bureau in which he is serving, may at any time be directly transferred from such excepted place to any nonexcepted place in the office or bureau in which he is serving.

Approved, July 15, 1895. GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Executive Mansion, *July 15, 1895*.

Special Departmental Rule I is hereby amended by striking out the whole of the paragraph in section 3, Department of the Interior, relating to the Geological Survey and substituting in lieu thereof the following:

In the Geological Survey: Professional experts and special agents employed for short periods at per diem salaries and paid only when actually employed.

Approved: GROVER CLEVELAND.

Amendments of Civil-Service Rules.

DEPARTMENTAL RULE VII.

Section 2 is hereby amended as follows: At the end of the section, after the word "law," add the following proviso:

Provided, That appointments to positions at pension agencies shall not be charged to the apportionment.

The section as amended will read as follows:

2. Certifications hereunder shall be made in such a manner as to maintain as nearly as possible the apportionment of appointments among the several States and Territories and the District of Columbia as required by law: *Provided*, That appointments to positions at pension agencies shall not be charged to the apportionment.

Section 3, paragraph 2, is hereby amended as follows: In the second line, after the word "register," insert the following: "or when certification is made from any register to fill a vacancy at any pension agency."

The paragraph as amended will read:

When certification is made from a supplementary or special register or the printer's assistant or page and messenger-boy register, or when certification is made from any register to fill a vacancy at any pension agency, and there are more vacancies than one to be filled, the appointing officer may select from the three names certified more than one.

Section 6 is hereby amended as follows: Strike out the word "and" at the beginning of line 9, and in line 12, after the word "appointment," insert the following proviso:

And provided further, That at each pension agency at the time of the quarterly payment of pensions such temporary appointments may be made as the needs of the service may demand for a period not to exceed thirty days, which appointments shall not be extended or renewed until the date of the next quarterly payment of pensions.

The section as amended will read:

6. In case of the occurrence of a vacancy in any Department which the public interest requires shall be immediately filled, and which can not be so filled by certification from the eligible registers of the Commission, such vacancy may be filled by temporary appointment outside the civil service until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule: *Provided*, That such temporary appointment shall in no case continue longer than ninety days, and shall expire by limitation at the end of that time: *Provided further*, That no person shall serve longer than the period herein prescribed in any one year under such temporary appointment. The year limitation in regard to reappointment shall begin to run on the date of the original appointment: *And provided further*, That at each pension agency at the time of the quarterly payment of pensions such temporary appointments may be made as the needs of the service may demand for a period not to exceed thirty days, which appointments shall not be extended or renewed until the date of the next quarterly payment of pensions. Every such temporary appointment and the discontinuance of the same shall at once be reported to the Commission.

Approved, July 15, 1895.

GROVER CLEVELAND.

CIVIL SERVICE.—AMENDMENT OF CLASSIFICATION.

EXECUTIVE MANSION, *July 15, 1895.*

In pursuance of the authority contained in the third paragraph of section 6 of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, the heads of the several

Executive Departments are hereby directed to amend their several classifications so as to include firemen among the employees classified thereunder.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *July 15, 1895.*

Executive orders heretofore issued designating the places to be filled by noncompetitive examination under clause (*c*) of General Rule III are hereby amended so as to include among those places in the Department of the Interior, in the Geological Survey, the editor and the photographer.

Approved:

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Departmental Rule I is hereby amended by adding to the list of places excepted from examination in the Treasury Department—

In the Bureau of Immigration: One statistician and stenographer, with power to act as immigrant inspector.

Approved, July 30, 1895.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Departmental Rule IX, clause 1, paragraph 2, is hereby amended by striking out in line 1 the words "appointed from the appropriate register to" and substituting therefor the word "occupying;" by adding before the word "messenger" in line 2 the following: "engineers, assistant engineers, firemen;" by striking out in line 3 the words "below the positions of clerk and copyist" and substituting therefor the words "the educational test for appointment to which is below the grade of the educational test required for the position of clerk or copyist;" and by adding in line 7, after the words "printers' assistants," the words "and skilled helpers." As amended the paragraph will read as follows:

Any person occupying the position of engineer, assistant engineer, fireman, messenger, assistant messenger, watchman, or other subordinate position the educational test for appointment to which is below the grade of the educational test required for the position of clerk or copyist may at any time after absolute appointment, if not barred by age limitations, be transferred to any other of said subordinate positions, but shall not be promoted to the position of clerk or copyist or to any place the duties of which are clerical: *Provided*, That printers' assistants and skilled helpers in the Bureau of Engraving and Printing, Treasury Department, shall only be eligible for transfer to the grade of operator in that Bureau.

Approved, August 5, 1895.

GROVER CLEVELAND.

CIVIL SERVICE.—EXECUTIVE ORDER WITHDRAWING COMPOSITORS AND PRESSMEN FROM THE LIST OF PLACES TO BE FILLED BY NONCOMPETITIVE EXAMINATION.

EXECUTIVE MANSION, *August 16, 1895.*

So much of Executive orders heretofore issued under General Rule III, section 2, clause (*c*), as provides for the appointment of compositors and pressmen by noncompetitive examination is hereby revoked, and hereafter compositors and pressmen will be appointed by competitive examination.

Approved: GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *August 22, 1895.*

Government Printing Office Rule II, section 2, is hereby amended by omitting in line 1, after the words "under 21," the words "or over 45," and in line 2, after the words "under 18," the words "or over 35." The section as amended will read as follows:

2. Any male citizen of the United States not under 21 years of age and any female citizen not under 18 years of age may be examined for positions in the Government Printing Office.

Approved: GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *September 5, 1895.*

Special Departmental Rule I is hereby amended by striking out from the list of places excepted from examination in all the Departments "bookbinders."

Approved: GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Departmental Rule I is hereby amended to except from examination in the Department of the Treasury, in the Bureau of Printing and Engraving, forty-three compositors and eight pressmen now temporarily employed under authority of the sundry civil act of March 2, 1895, such employment to cease prior to March 14, 1896. Vacancies occurring in this force shall be filled only by competitive examination under the civil-service rules.

Approved, September 16, 1895. GROVER CLEVELAND.

EXECUTIVE MANSION, *September 20, 1895.*

It being of great importance that the consuls and commercial agents of the United States shall possess the proper qualifications for their respective positions, to be ascertained either through a satisfactory record of previous actual service under the Department of State or through an appropriate examination:

It is hereby ordered, That any vacancy in a consulate or commercial agency now or hereafter existing the salary of which is not more than $2,500 nor less than $1,000, or the compensation of which, if derived from official fees, exclusive of notarial and other unofficial receipts, does not exceed $2,500 nor fall below $1,000, shall be filled (*a*) by a transfer or promotion from some other position under the Department of State of a character tending to qualify the incumbent for the position to be filled, or (*b*) by appointment of a person not under the Department of State, but having previously served thereunder to its satisfaction in a capacity tending to qualify him for the position to be filled, or (*c*) by the appointment of a person who, having furnished the customary evidence of character, responsibility, and capacity, and being thereupon selected by the President for examination, is found upon such examination to be qualified for the position.

For the purposes of this order notarial and unofficial fees shall not be regarded, but the compensation of a consulate or commercial agency shall be ascertained, if the office is salaried, by reference to the last preceding appropriation act, and if the office is not salaried by reference to the returns of official fees for the last preceding fiscal year.

The examination hereinbefore provided for shall be by a board of three persons designated by the Secretary of State, who shall also prescribe the subjects to which such examinations shall relate and the general mode of conducting the same by the board.

A vacancy in a consulate will be filled at discretion only when a suitable appointment can not be made in any of the modes indicated in the second paragraph of this order.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, September 30, 1895.

Lieutenant-General John M. Schofield having reached the age entitling him to relief from active military service, he is, in accordance with the provisions of law, hereby placed upon the retired list of the Army, to date September 29, 1895, with all the pay and allowances belonging to his rank upon such retirement.

It is with much regret that the President makes the announcement that the country is thus to lose from the command of its Army this distinguished general, who has done so much for its honor and efficiency. His gallantry in war challenges the admiration of all his countrymen.

while they will not fail to gratefully remember and appreciate how faithfully he has served his country in times of peace by his splendid and successful performance of civil as well as military duty.

Lieutenant-General Schofield's career, exhibiting an unvarying love for his profession, a jealous care for its honor and good name, a just apprehension of the subordination it exacts, and a constant manifestation of the best traits of true Americanism, furnishes to the Army an example of inestimable value, and should teach all our people that the highest soldierly qualities are built upon the keenest sense of the obligations belonging to good citizenship.

GROVER CLEVELAND.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *November 6, 1895.*

Section 2 of Postal Rule I is hereby amended by inserting after the word "thereto" in line 6 the following:

And whenever, by order of the Postmaster-General, any post-office shall be consolidated with and made part of another post-office where free delivery is established, all the employees of the office thus consolidated whose names appear on the roster of said office approved by the Post-Office Department, and including the postmaster thereof, shall from the date of said order be employees of said free-delivery office, and the person holding on the date of said order the position of postmaster at the office thus consolidated with said free-delivery office may be assigned to any position therein and given any appropriate designation under the classification act which the Postmaster-General may direct.

The section as amended shall read as follows:

2. The classification of the postal service made by the Postmaster-General under section 6 of the act of January 16, 1883, is hereby extended to all free-delivery post-offices, and hereafter whenever any post-office becomes a free-delivery office the said classification or any then existing classification made by the Postmaster-General under said section and act shall apply thereto; and whenever, by order of the Postmaster-General, any post-office shall be consolidated with and made part of another post-office where free delivery is established, all the employees of the office thus consolidated whose names appear on the roster of said office approved by the Post-Office Department, and including the postmaster thereof, shall from the date of said order be employees of said free-delivery office, and the person holding on the date of said order the position of postmaster at the office thus consolidated with said free-delivery office may be assigned to any position therein and given any appropriate designation under the classification act which the Postmaster-General may direct; and the Civil Service Commission shall provide examinations to test the fitness of persons to fill vacancies in all free-delivery post-offices, and these rules shall be in force therein; but this shall not include any post-office made an experimental free-delivery office under the authority contained in the appropriation act of March 3, 1891. Every revision of the classification of any post-office under section 6 of the act of January 16, 1883, and every inclusion of a post-office within the classified postal service shall be reported to the President.

Approved:

GROVER CLEVELAND.

THIRD ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 2, 1895.*

To the Congress of the United States:

The present assemblage of the legislative branch of our Government occurs at a time when the interests of our people and the needs of the country give especial prominence to the condition of our foreign relations and the exigencies of our national finances. The reports of the heads of the several administrative Departments of the Government fully and plainly exhibit what has been accomplished within the scope of their respective duties and present such recommendations for the betterment of our country's condition as patriotic and intelligent labor and observation suggest.

I therefore deem my executive duty adequately performed at this time by presenting to the Congress the important phases of our situation as related to our intercourse with foreign nations and a statement of the financial problems which confront us, omitting, except as they are related to these topics, any reference to departmental operations.

I earnestly invite, however, not only the careful consideration but the severely critical scrutiny of the Congress and my fellow-countrymen to the reports concerning these departmental operations. If justly and fairly examined, they will furnish proof of assiduous and painstaking care for the public welfare. I press the recommendations they contain upon the respectful attention of those charged with the duty of legislation, because I believe their adoption would promote the people's good.

By amendatory tariff legislation in January last the Argentine Republic, recognizing the value of the large market opened to the free importation of its wools under our last tariff act, has admitted certain products of the United States to entry at reduced duties. It is pleasing to note that the efforts we have made to enlarge the exchanges of trade on a sound basis of mutual benefit are in this instance appreciated by the country from which our woolen factories draw their needful supply of raw material.

The Missions boundary dispute between the Argentine Republic and Brazil, referred to the President of the United States as arbitrator during the term of my predecessor, and which was submitted to me for determination, resulted in an award in favor of Brazil upon the historical and documentary evidence presented, thus ending a long-protracted controversy and again demonstrating the wisdom and desirability of settling international boundary disputes by recourse to friendly arbitration.

Negotiations are progressing for a revival of the United States and Chilean Claims Commission, whose work was abruptly terminated last year by the expiration of the stipulated time within which awards could be made.

The resumption of specie payments by Chile is a step of great interest and importance both in its direct consequences upon her own welfare and as evincing the ascendency of sound financial principles in one of the most influential of the South American Republics.

The close of the momentous struggle between China and Japan, while relieving the diplomatic agents of this Government from the delicate duty they undertook at the request of both countries of rendering such service to the subjects of either belligerent within the territorial limits of the other as our neutral position permitted, developed a domestic condition in the Chinese Empire which has caused much anxiety and called for prompt and careful attention. Either as a result of a weak control by the central Government over the provincial administrations, following a diminution of traditional governmental authority under the stress of an overwhelming national disaster, or as a manifestation upon good opportunity of the aversion of the Chinese population to all foreign ways and undertakings, there have occurred in widely separated provinces of China serious outbreaks of the old fanatical spirit against foreigners, which, unchecked by the local authorities, if not actually connived at by them, have culminated in mob attacks on foreign missionary stations, causing much destruction of property and attended with personal injuries as well as loss of life.

Although but one American citizen was reported to have been actually wounded, and although the destruction of property may have fallen more heavily upon the missionaries of other nationalities than our own, it plainly behooved this Government to take the most prompt and decided action to guard against similar or perhaps more dreadful calamities befalling the hundreds of American mission stations which have grown up throughout the interior of China under the temperate rule of toleration, custom, and imperial edict. The demands of the United States and other powers for the degradation and punishment of the responsible officials of the respective cities and provinces who by neglect or otherwise had permitted uprisings, and for the adoption of stern measures by the Emperor's Government for the protection of the life and property of foreigners, were followed by the disgrace and dismissal of certain provincial officials found derelict in duty and the punishment by death of a number of those adjudged guilty of actual participation in the outrages.

This Government also insisted that a special American commission should visit the province where the first disturbances occurred for the purpose of investigation. The latter commission, formed after much opposition, has gone overland from Tientsin, accompanied by a suitable Chinese escort, and by its demonstration of the readiness and ability of our Government to protect its citizens wih act, it is believed, as a most influential deterrent of any similar outbreaks.

The energetic steps we have thus taken are all the more likely to result in future safety to our citizens in China because the Imperial Government

is, I am persuaded, entirely convinced that we desire only the liberty and protection of our own citizens and redress for any wrongs they may have suffered, and that we have no ulterior designs or objects, political or otherwise. China will not forget either our kindly service to her citizens during her late war nor the further fact that, while furnishing all the facilities at our command to further the negotiation of a peace between her and Japan, we sought no advantages and interposed no counsel.

The Governments of both China and Japan have, in special dispatches transmitted through their respective diplomatic representatives, expressed in a most pleasing manner their grateful appreciation of our assistance to their citizens during the unhappy struggle and of the value of our aid in paving the way to their resumption of peaceful relations.

The customary cordial relations between this country and France have been undisturbed, with the exception that a full explanation of the treatment of John L. Waller by the expeditionary military authorities of France still remains to be given. Mr. Waller, formerly United States consul at Tamatav, remained in Madagascar after his term of office expired, and was apparently successful in procuring business concessions from the Hovas of greater or less value. After the occupation of Tamatav and the declaration of martial law by the French he was arrested upon various charges, among them that of communicating military information to the enemies of France, was tried and convicted by a military tribunal, and sentenced to twenty years' imprisonment.

Following the course justified by abundant precedents, this Government requested from that of France the record of the proceedings of the French tribunal which resulted in Mr. Waller's condemnation. This request has been complied with to the extent of supplying a copy of the official record, from which appear the constitution and organization of the court, the charges as formulated, and the general course and result of the trial, and by which it is shown that the accused was tried in open court and was defended by counsel; but the evidence adduced in support of the charges, which was not received by the French minister for foreign affairs till the first week in October, has thus far been withheld, the French Government taking the ground that its production in response to our demand would establish a bad precedent. The efforts of our ambassador to procure it, however, though impeded by recent changes in the French ministry, have not been relaxed, and it is confidently expected that some satisfactory solution of the matter will shortly be reached. Meanwhile it appears that Mr. Waller's confinement has every alleviation which the state of his health and all the other circumstances of the case demand or permit.

In agreeable contrast to the difference above noted respecting a matter of common concern, where nothing is sought except such a mutually satisfactory outcome as the true merits of the case require, is the recent resolution of the French Chambers favoring the conclusion of a permanent treaty of arbitration between the two countries.

An invitation has been extended by France to the Government and people of the United States to participate in a great international exposition at Paris in 1900 as a suitable commemoration of the close of this the world's marvelous century of progress. I heartily recommend its acceptance, together with such legislation as will adequately provide for a due representation of this Government and its people on the occasion.

Our relations with the States of the German Empire are in some aspects typical of a condition of things elsewhere found in countries whose productions and trade are similar to our own. The close rivalries of competing industries; the influence of the delusive doctrine that the internal development of a nation is promoted and its wealth increased by a policy which, in undertaking to reserve its home markets for the exclusive use of its own producers, necessarily obstructs their sales in foreign markets and prevents free access to the products of the world; the desire to retain trade in time-worn ruts, regardless of the inexorable laws of new needs and changed conditions of demand and supply, and our own halting tardiness in inviting a freer exchange of commodities, and by this means imperiling our footing in the external markets naturally open to us, have created a situation somewhat injurious to American export interests, not only in Germany, where they are perhaps most noticeable, but in adjacent countries. The exports affected are largely American cattle and other food products, the reason assigned for unfavorable discrimination being that their consumption is deleterious to the public health. This is all the more irritating in view of the fact that no European state is as jealous of the excellence and wholesomeness of its exported food supplies as the United States, nor so easily able, on account of inherent soundness, to guarantee those qualities.

Nor are these difficulties confined to our food products designed for exportation. Our great insurance companies, for example, having built up a vast business abroad and invested a large share of their gains in foreign countries in compliance with the local laws and regulations then existing, now find themselves within a narrowing circle of onerous and unforeseen conditions, and are confronted by the necessity of retirement from a field thus made unprofitable, if, indeed, they are not summarily expelled, as some of them have lately been from Prussia.

It is not to be forgotten that international trade can not be one-sided. Its currents are alternating, and its movements should be honestly reciprocal. Without this it almost necessarily degenerates into a device to gain advantage or a contrivance to secure benefits with only the semblance of a return. In our dealings with other nations we ought to be open-handed and scrupulously fair. This should be our policy as a producing nation, and it plainly becomes us as a people who love generosity and the moral aspects of national good faith and reciprocal forbearance.

These considerations should not, however, constrain us to submit to unfair discrimination nor to silently acquiesce in vexatious hindrances to

the enjoyment of our share of the legitimate advantages of proper trade relations. If an examination of the situation suggests such measures on our part as would involve restrictions similar to those from which we suffer, the way to such a course is easy. It should, however, by no means be lightly entered upon, since the necessity for the inauguration of such a policy would be regretted by the best sentiment of our people and because it naturally and logically might lead to consequences of the gravest character.

I take pleasure in calling to your attention the encomiums bestowed on those vessels of our new Navy which took part in the notable ceremony of the opening of the Kiel Canal. It was fitting that this extraordinary achievement of the newer German nationality should be celebrated in the presence of America's exposition of the latest developments of the world's naval energy.

Our relations with Great Britain, always intimate and important, have demanded during the past year even a greater share of consideration than is usual.

Several vexatious questions were left undetermined by the decision of the Bering Sea Arbitration Tribunal. The application of the principles laid down by that august body has not been followed by the results they were intended to accomplish, either because the principles themselves lacked in breadth and definiteness or because their execution has been more or less imperfect. Much correspondence has been exchanged between the two Governments on the subject of preventing the exterminating slaughter of seals. The insufficiency of the British patrol of Bering Sea under the regulations agreed on by the two Governments has been pointed out, and yet only two British ships have been on police duty during this season in those waters.

The need of a more effective enforcement of existing regulations as well as the adoption of such additional regulations as experience has shown to be absolutely necessary to carry out the intent of the award have been earnestly urged upon the British Government, but thus far without effective results. In the meantime the depletion of the seal herds by means of pelagic hunting has so alarmingly progressed that unless their slaughter is at once effectively checked their extinction within a few years seems to be a matter of absolute certainty.

The understanding by which the United States was to pay and Great Britain to receive a lump sum of $425,000 in full settlement of all British claims for damages arising from our seizure of British sealing vessels unauthorized under the award of the Paris Tribunal of Arbitration was not confirmed by the last Congress, which declined to make the necessary appropriation. I am still of the opinion that this arrangement was a judicious and advantageous one for the Government, and I earnestly recommend that it be again considered and sanctioned. If, however, this does not meet with the favor of Congress, it certainly will hardly dissent from

the proposition that the Government is bound by every consideration of honor and good faith to provide for the speedy adjustment of these claims by arbitration as the only other alternative. A treaty of arbitration has therefore been agreed upon, and will be immediately laid before the Senate, so that in one of the modes suggested a final settlement may be reached.

Notwithstanding that Great Britain originated the proposal to enforce international rules for the prevention of collisions at sea, based on the recommendations of the Maritime Conference of Washington, and concurred in, suggesting March 11, 1895, as the date to be set by proclamation for carrying these rules into general effect, Her Majesty's Government, having encountered opposition on the part of British shipping interests, announced its inability to accept that date, which was consequently canceled. The entire matter is still in abeyance, without prospect of a better condition in the near future.

The commissioners appointed to mark the international boundary in Passamaquoddy Bay according to the description of the treaty of Ghent have not yet fully agreed.

The completion of the preliminary survey of that Alaskan boundary which follows the contour of the coast from the southernmost point of Prince of Wales Island until it strikes the one hundred and forty-first meridian at or near the summit of Mount St. Elias awaits further necessary appropriation, which is urgently recommended. This survey was undertaken under the provisions of the convention entered into by this country and Great Britain July 22, 1892, and the supplementary convention of February 3, 1894.

As to the remaining section of the Alaskan boundary, which follows the one hundred and forty-first meridian northwardly from Mount St. Elias to the Frozen Ocean, the settlement of which involves the physical location of the meridian mentioned, no conventional agreement has yet been made. The ascertainment of a given meridian at a particular point is a work requiring much time and careful observations and surveys. Such observations and surveys were undertaken by the United States Coast and Geodetic Survey in 1890 and 1891, while similar work in the same quarters, under British auspices, is believed to give nearly coincident results; but these surveys have been independently conducted, and no international agreement to mark those or any other parts of the one hundred and forty-first meridian by permanent monuments has yet been made. In the meantime the valley of the Yukon is becoming a highway through the hitherto unexplored wilds of Alaska, and abundant mineral wealth has been discovered in that region, especially at or near the junction of the boundary meridian with the Yukon and its tributaries. In these circumstances it is expedient, and, indeed, imperative, that the jurisdictional limits of the respective Governments in this new region be speedily determined. Her Britannic Majesty's Government has proposed a joint delimitation of the

one hundred and forty-first meridian by an international commission of experts, which, if Congress will authorize it and make due provision therefor, can be accomplished with no unreasonable delay. It is impossible to overlook the vital importance of continuing the work already entered upon and supplementing it by further effective measures looking to the exact location of this entire boundary line.

I call attention to the unsatisfactory delimitation of the respective jurisdictions of the United States and the Dominion of Canada in the Great Lakes at the approaches to the narrow waters that connect them. The waters in question are frequented by fishermen of both nationalities and their nets are there used. Owing to the uncertainty and ignorance as to the true boundary, vexatious disputes and injurious seizures of boats and nets by Canadian cruisers often occur, while any positive settlement thereof by an accepted standard is not easily to be reached. A joint commission to determine the line in those quarters on a practical basis, by measured courses following range marks on shore, is a necessity for which immediate provision should be made.

It being apparent that the boundary dispute between Great Britain and the Republic of Venezuela concerning the limits of British Guiana was approaching an acute stage, a definite statement of the interest and policy of the United States as regards the controversy seemed to be required both on its own account and in view of its relations with the friendly powers directly concerned. In July last, therefore, a dispatch was addressed to our ambassador at London for communication to the British Government in which the attitude of the United States was fully and distinctly set forth. The general conclusions therein reached and formulated are in substance that the traditional and established policy of this Government is firmly opposed to a forcible increase by any European power of its territorial possessions on this continent; that this policy is as well founded in principle as it is strongly supported by numerous precedents; that as a consequence the United States is bound to protest against the enlargement of the area of British Guiana in derogation of the rights and against the will of Venezuela; that considering the disparity in strength of Great Britain and Venezuela the territorial dispute between them can be reasonably settled only by friendly and impartial arbitration, and that the resort to such arbitration should include the whole controversy, and is not satisfied if one of the powers concerned is permitted to draw an arbitrary line through the territory in debate and to declare that it will submit to arbitration only the portion lying on one side of it. In view of these conclusions, the dispatch in question called upon the British Government for a definite answer to the question whether it would or would not submit the territorial controversy between itself and Venezuela in its entirety to impartial arbitration. The answer of the British Government has not yet been received, but is expected shortly, when further communication on the subject will probably be made to the Congress.

Early in January last an uprising against the Government of Hawaii was promptly suppressed. Martial law was forthwith proclaimed and numerous arrests were made of persons suspected of being in sympathy with the Royalist party. Among these were several citizens of the United States, who were either convicted by a military court and sentenced to death, imprisonment, or fine or were deported without trial. The United States, while denying protection to such as had taken the Hawaiian oath of allegiance, insisted that martial law, though altering the forms of justice, could not supersede justice itself, and demanded stay of execution until the proceedings had been submitted to this Government and knowledge obtained therefrom that our citizens had received fair trial. The death sentences were subsequently commuted or were remitted on condition of leaving the islands. The cases of certain Americans arrested and expelled by arbitrary order without formal charge or trial have had attention, and in some instances have been found to justify remonstrance and a claim for indemnity, which Hawaii has not thus far conceded.

Mr. Thurston, the Hawaiian minister, having furnished this Government abundant reason for asking that he be recalled, that course was pursued, and his successor has lately been received.

The deplorable lynching of several Italian laborers in Colorado was naturally followed by international representations, and I am happy to say that the best efforts of the State in which the outrages occurred have been put forth to discover and punish the authors of this atrocious crime. The dependent families of some of the unfortunate victims invite by their deplorable condition gracious provision for their needs.

These manifestations against helpless aliens may be traced through successive stages to the vicious *padroni* system, which, unchecked by our immigration and contract-labor statutes, controls these workers from the moment of landing on our shores and farms them out in distant and often rude regions, where their cheapening competition in the fields of bread-winning toil brings them into collision with other labor interests. While welcoming, as we should, those who seek our shores to merge themselves in our body politic and win personal competence by honest effort, we can not regard such assemblages of distinctively alien laborers, hired out in the mass to the profit of alien speculators and shipped hither and thither as the prospect of gain may dictate, as otherwise than repugnant to the spirit of our civilization, deterrent to individual advancement, and hindrances to the building up of stable communities resting upon the wholesome ambitions of the citizen and constituting the prime factor in the prosperity and progress of our nation. If legislation can reach this growing evil, it certainly should be attempted.

Japan has furnished abundant evidence of her vast gain in every trait and characteristic that constitutes a nation's greatness. We have reason for congratulation in the fact that the Government of the United States, by the exchange of liberal treaty stipulations with the new Japan, was

the first to recognize her wonderful advance and to extend to her the consideration and confidence due to her national enlightenment and progressive character.

The boundary dispute which lately threatened to embroil Guatemala and Mexico has happily yielded to pacific counsels, and its determination has, by the joint agreement of the parties, been submitted to the sole arbitration of the United States minister to Mexico.

The commission appointed under the convention of February 18, 1889, to set new monuments along the boundary between the United States and Mexico has completed its task.

As a sequel to the failure of a scheme for the colonization in Mexico of negroes, mostly immigrants from Alabama under contract, a great number of these helpless and suffering people, starving and smitten with contagious disease, made their way or were assisted to the frontier, where, in wretched plight, they were quarantined by the Texas authorities. Learning of their destitute condition, I directed rations to be temporarily furnished them through the War Department. At the expiration of their quarantine they were conveyed by the railway companies at comparatively nominal rates to their homes in Alabama, upon my assurance, in the absence of any fund available for the cost of their transportation, that I would recommend to Congress an appropriation for its payment. I now strongly urge upon Congress the propriety of making such an appropriation. It should be remembered that the measures taken were dictated not only by sympathy and humanity, but by a conviction that it was not compatible with the dignity of this Government that so large a body of our dependent citizens should be thrown for relief upon the charity of a neighboring state.

In last year's message I narrated at some length the jurisdictional questions then freshly arisen in the Mosquito Indian Strip of Nicaragua. Since that time, by the voluntary act of the Mosquito Nation, the territory reserved to them has been incorporated with Nicaragua, the Indians formally subjecting themselves to be governed by the general laws and regulations of the Republic instead of by their own customs and regulations, and thus availing themselves of a privilege secured to them by the treaty between Nicaragua and Great Britain of January 28, 1860.

After this extension of uniform Nicaraguan administration to the Mosquito Strip, the case of the British vice-consul, Hatch, and of several of his countrymen who had been summarily expelled from Nicaragua and treated with considerable indignity provoked a claim by Great Britain upon Nicaragua for pecuniary indemnity, which, upon Nicaragua's refusal to admit liability, was enforced by Great Britain. While the sovereignty and jurisdiction of Nicaragua was in no way questioned by Great Britain, the former's arbitrary conduct in regard to British subjects furnished the ground for this proceeding.

A British naval force occupied without resistance the Pacific seaport

of Corinto, but was soon after withdrawn upon the promise that the sum demanded would be paid. Throughout this incident the kindly offices of the United States were invoked and were employed in favor of as peaceful a settlement and as much consideration and indulgence toward Nicaragua as were consistent with the nature of the case. Our efforts have since been made the subject of appreciative and grateful recognition by Nicaragua.

The coronation of the Czar of Russia at Moscow in May next invites the ceremonial participation of the United States, and in accordance with usage and diplomatic propriety our minister to the imperial court has been directed to represent our Government on the occasion.

Correspondence is on foot touching the practice of Russian consuls within the jurisdiction of the United States to interrogate citizens as to their race and religious faith, and upon ascertainment thereof to deny to Jews authentication of passports or legal documents for use in Russia. Inasmuch as such a proceeding imposes a disability which in the case of succession to property in Russia may be found to infringe the treaty rights of our citizens, and which is an obnoxious invasion of our territorial jurisdiction, it has elicited fitting remonstrance, the result of which, it is hoped, will remove the cause of complaint. The pending claims of sealing vessels of the United States seized in Russian waters remain unadjusted. Our recent convention with Russia establishing a *modus vivendi* as to imperial jurisdiction in such cases has prevented further difficulty of this nature.

The Russian Government has welcomed in principle our suggestion for a *modus vivendi*, to embrace Great Britain and Japan, looking to the better preservation of seal life in the North Pacific and Bering Sea and the extension of the protected area defined by the Paris Tribunal to all Pacific waters north of the thirty-fifth parallel. It is especially noticeable that Russia favors prohibition of the use of firearms in seal hunting throughout the proposed area and a longer closed season for pelagic sealing.

In my last two annual messages I called the attention of the Congress to the position we occupied as one of the parties to a treaty or agreement by which we became jointly bound with England and Germany to so interfere with the government and control of Samoa as in effect to assume the management of its affairs.* On the 9th day of May, 1894, I transmitted to the Senate a special message,† with accompanying documents, giving information on the subject and emphasizing the opinion I have at all times entertained, that our situation in this matter was inconsistent with the mission and traditions of our Government, in violation of the principles we profess, and in all its phases mischievous and vexatious.

I again press this subject upon the attention of the Congress and ask for such legislative action or expression as will lead the way to our relief from obligations both irksome and unnatural.

*See pp. 5871, 5963–5964. †See p. 5903.

Cuba is again gravely disturbed. An insurrection in some respects more active than the last preceding revolt, which continued from 1868 to 1878, now exists in a large part of the eastern interior of the island, menacing even some populations on the coast. Besides deranging the commercial exchanges of the island, of which our country takes the predominant share, this flagrant condition of hostilities, by arousing sentimental sympathy and inciting adventurous support among our people, has entailed earnest effort on the part of this Government to enforce obedience to our neutrality laws and to prevent the territory of the United States from being abused as a vantage ground from which to aid those in arms against Spanish sovereignty.

Whatever may be the traditional sympathy of our countrymen as individuals with a people who seem to be struggling for larger autonomy and greater freedom, deepened, as such sympathy naturally must be, in behalf of our neighbors, yet the plain duty of their Government is to observe in good faith the recognized obligations of international relationship. The performance of this duty should not be made more difficult by a disregard on the part of our citizens of the obligations growing out of their allegiance to their country, which should restrain them from violating as individuals the neutrality which the nation of which they are members is bound to observe in its relations to friendly sovereign states. Though neither the warmth of our people's sympathy with the Cuban insurgents, nor our loss and material damage consequent upon the futile endeavors thus far made to restore peace and order, nor any shock our humane sensibilities may have received from the cruelties which appear to especially characterize this sanguinary and fiercely conducted war, have in the least shaken the determination of the Government to honestly fulfill every international obligation, yet it is to be earnestly hoped on every ground that the devastation of armed conflict may speedily be stayed and order and quiet restored to the distracted island, bringing in their train the activity and thrift of peaceful pursuits.

One notable instance of interference by Spain with passing American ships has occurred. On March 8 last the *Allianca*, while bound from Colon to New York, and following the customary track for vessels near the Cuban shore, but outside the 3-mile limit, was fired upon by a Spanish gunboat. Protest was promptly made by the United States against this act as not being justified by a state of war, nor permissible in respect of vessels on the usual paths of commerce, nor tolerable in view of the wanton peril occasioned to innocent life and property. The act was disavowed, with full expression of regret and assurance of nonrecurrence of such just cause of complaint, while the offending officer was relieved of his command. Military arrests of citizens of the United States in Cuba have occasioned frequent reclamations. Where held on criminal charges their delivery to the ordinary civil jurisdiction for trial has been demanded and obtained in conformity with treaty provisions, and where

merely detained by way of military precaution under a proclaimed state of siege, without formulated accusation, their release or trial has been insisted upon. The right of American consular officers in the island to prefer protests and demands in such cases having been questioned by the insular authority, their enjoyment of the privilege stipulated by treaty for the consuls of Germany was claimed under the most-favored-nation provision of our own convention and was promptly recognized.

The long-standing demand of Antonio Maximo Mora against Spain has at last been settled by the payment, on the 14th of September last, of the sum originally agreed upon in liquidation of the claim. Its distribution among the parties entitled to receive it has proceeded as rapidly as the rights of those claiming the fund could be safely determined.

The enforcement of differential duties against products of this country exported to Cuba and Puerto Rico prompted the immediate claim on our part to the benefit of the minimum tariff of Spain in return for the most favorable treatment permitted by our laws as regards the production of Spanish territories. A commercial arrangement was concluded in January last securing the treatment so claimed.

Vigorous protests against excessive fines imposed on our ships and merchandise by the customs officers of these islands for trivial errors have resulted in the remission of such fines in instances where the equity of the complaint was apparent, though the vexatious practice has not been wholly discontinued.

Occurrences in Turkey have continued to excite concern. The reported massacres of Christians in Armenia and the development there and in other districts of a spirit of fanatic hostility to Christian influences naturally excited apprehension for the safety of the devoted men and women who, as dependents of the foreign missionary societies in the United States, reside in Turkey under the guaranty of law and usage and in the legitimate performance of their educational and religious mission. No efforts have been spared in their behalf, and their protection in person and property has been earnestly and vigorously enforced by every means within our power.

I regret, however, that an attempt on our part to obtain better information concerning the true condition of affairs in the disturbed quarter of the Ottoman Empire by sending thither the United States consul at Sivas to make investigation and report was thwarted by the objections of the Turkish Government. This movement on our part was in no sense meant as a gratuitous entanglement of the United States in the so-called Eastern question nor as an officious interference with the right and duty which belong by treaty to certain great European powers calling for their intervention in political matters affecting the good government and religious freedom of the non-Mussulman subjects of the Sultan, but it arose solely from our desire to have an accurate knowledge of the conditions in our efforts to care for those entitled to our protection.

The presence of our naval vessels which are now in the vicinity of the disturbed localities affords opportunities to acquire a measure of familiarity with the condition of affairs and will enable us to take suitable steps for the protection of any interests of our countrymen within reach of our ships that might be found imperiled.

The Ottoman Government has lately issued an imperial *irade* exempting forever from taxation an American college for girls at Scutari. Repeated assurances have also been obtained by our envoy at Constantinople that similar institutions maintained and administered by our countrymen shall be secured in the enjoyment of all rights and that our citizens throughout the Empire shall be protected.

The Government, however, in view of existing facts, is far from relying upon such assurances as the limit of its duty. Our minister has been vigilant and alert in affording all possible protection in individual cases where danger threatened or safety was imperiled. We have sent ships as far toward the points of actual disturbance as it is possible for them to go, where they offer refuge to those obliged to flee, and we have the promise of other powers which have ships in the neighborhood that our citizens as well as theirs will be received and protected on board those ships. On the demand of our minister orders have been issued by the Sultan that Turkish soldiers shall guard and escort to the coast American refugees.

These orders have been carried out, and our latest intelligence gives assurance of the present personal safety of our citizens and missionaries. Though thus far no lives of American citizens have been sacrificed, there can be no doubt that serious loss and destruction of mission property have resulted from riotous conflicts and outrageous attacks.

By treaty several of the most powerful European powers have secured a right and have assumed a duty not only in behalf of their own citizens and in furtherance of their own interests, but as agents of the Christian world. Their right is to enforce such conduct of Turkish government as will restrain fanatical brutality, and if this fails their duty is to so interfere as to insure against such dreadful occurrences in Turkey as have lately shocked civilization. The powers declare this right and this duty to be theirs alone, and it is earnestly hoped that prompt and effective action on their part will not be delayed.

The new consulates at Erzerum and Harpoot, for which appropriation was made last session, have been provisionally filled by trusted employees of the Department of State. These appointees, though now in Turkey, have not yet received their exequaturs.

The arbitration of the claim of the Venezuela Steam Transportation Company under the treaty of January 19, 1892, between the United States and Venezuela, resulted in an award in favor of the claimant.

The Government has used its good offices toward composing the differences between Venezuela on the one hand and France and Belgium on the other growing out of the dismissal of the representatives of those

powers on the ground of a publication deemed offensive to Venezuela. Although that dismissal was coupled with a cordial request that other more personally agreeable envoys be sent in their stead, a rupture of intercourse ensued and still continues.

In view of the growth of our interests in foreign countries and the encouraging prospects for a general expansion of our commerce, the question of an improvement in the consular service has increased in importance and urgency. Though there is no doubt that the great body of consular officers are rendering valuable services to the trade and industries of the country, the need of some plan of appointment and control which would tend to secure a higher average of efficiency can not be denied.

The importance of the subject has led the Executive to consider what steps might properly be taken without additional legislation to answer the need of a better system of consular appointments. The matter having been committed to the consideration of the Secretary of State, in pursuance of his recommendations an Executive order was issued on the 20th of September, 1895,* by the terms of which it is provided that after that date any vacancy in a consulate or commercial agency with an annual salary or compensation from official fees of not more than $2,500 or less than $1,000 should be filled either by transfer or promotion from some other position under the Department of State of a character tending to qualify the incumbent for the position to be filled, or by the appointment of a person not under the Department of State, but having previously served thereunder and shown his capacity and fitness for consular duty, or by the appointment of a person who, having been selected by the President and sent to a board for examination, is found upon such examination to be qualified for the position. Posts which pay less than $1,000 being usually, on account of their small compensation, filled by selection from residents of the locality, it was not deemed practicable to put them under the new system.

The compensation of $2,500 was adopted as the maximum limit in the classification for the reason that consular officers receiving more than that sum are often charged with functions and duties scarcely inferior in dignity and importance to those of diplomatic agents, and it was therefore thought best to continue their selection in the discretion of the Executive without subjecting them to examination before a board. Excluding 71 places with compensation at present less than $1,000 and 53 places above the maximum in compensation, the number of positions remaining within the scope of the order is 196. This number will undoubtedly be increased by the inclusion of consular officers whose remuneration in fees, now less than $1,000, will be augmented with the growth of our foreign commerce and a return to more favorable business conditions.

In execution of the Executive order referred to the Secretary of State has designated as a board to conduct the prescribed examinations the

*See p. 6056.

Third Assistant Secretary of State, the Solicitor of the Department of State, and the Chief of the Consular Bureau, and has specified the subjects to which such examinations shall relate.

It is not assumed that this system will prove a full measure of consular reform. It is quite probable that actual experience will show particulars in which the order already issued may be amended and demonstrate that for the best results appropriate legislation by Congress is imperatively required.

In any event, these efforts to improve the consular service ought to be immediately supplemented by legislation providing for consular inspection. This has frequently been a subject of Executive recommendation, and I again urge such action by Congress as will permit the frequent and thorough inspection of consulates by officers appointed for that purpose or by persons already in the diplomatic or consular service. The expense attending such a plan would be insignificant compared with its usefulness, and I hope the legislation necessary to set it on foot will be speedily forthcoming.

I am thoroughly convinced that in addition to their salaries our ambassadors and ministers at foreign courts should be provided by the Government with official residences. The salaries of these officers are comparatively small and in most cases insufficient to pay, with other necessary expenses, the cost of maintaining household establishments in keeping with their important and delicate functions. The usefulness of a nation's diplomatic representative undeniably depends much upon the appropriateness of his surroundings, and a country like ours, while avoiding unnecessary glitter and show, should be certain that it does not suffer in its relations with foreign nations through parsimony and shabbiness in its diplomatic outfit. These considerations and the other advantages of having fixed and somewhat permanent locations for our embassies would abundantly justify the moderate expenditure necessary to carry out this suggestion.

As we turn from a review of our foreign relations to the contemplation of our national financial situation we are immediately aware that we approach a subject of domestic concern more important than any other that can engage our attention, and one at present in such a perplexing and delicate predicament as to require prompt and wise treatment.

We may well be encouraged to earnest effort in this direction when we recall the steps already taken toward improving our economic and financial situation and when we appreciate how well the way has been prepared for further progress by an aroused and intelligent popular interest in these subjects.

By command of the people a customs-revenue system designed for the protection and benefit of favored classes at the expense of the great mass of our countrymen, and which, while inefficient for the purpose of revenue, curtailed our trade relations and impeded our entrance to the

markets of the world, has been superseded by a tariff policy which in principle is based upon a denial of the right of the Government to obstruct the avenues to our people's cheap living or lessen their comfort and contentment for the sake of according especial advantages to favorites, and which, while encouraging our intercourse and trade with other nations, recognizes the fact that American self-reliance, thrift, and ingenuity can build up our country's industries and develop its resources more surely than enervating paternalism.

The compulsory purchase and coinage of silver by the Government, unchecked and unregulated by business conditions and heedless of our currency needs, which for more than fifteen years diluted our circulating medium, undermined confidence abroad in our financial ability, and at last culminated in distress and panic at home, has been recently stopped by the repeal of the laws which forced this reckless scheme upon the country.

The things thus accomplished, notwithstanding their extreme importance and beneficent effects, fall far short of curing the monetary evils from which we suffer as a result of long indulgence in ill-advised financial expedients.

The currency denominated United States notes and commonly known as greenbacks was issued in large volume during the late Civil War and was intended originally to meet the exigencies of that period. It will be seen by a reference to the debates in Congress at the time the laws were passed authorizing the issue of these notes that their advocates declared they were intended for only temporary use and to meet the emergency of war. In almost if not all the laws relating to them some provision was made contemplating their voluntary or compulsory retirement. A large quantity of them, however, were kept on foot and mingled with the currency of the country, so that at the close of the year 1874 they amounted to $381,999,073.

Immediately after that date, and in January, 1875, a law was passed providing for the resumption of specie payments, by which the Secretary of the Treasury was required whenever additional circulation was issued to national banks to retire United States notes equal in amount to 80 per cent of such additional national-bank circulation until such notes were reduced to $300,000,000. This law further provided that on and after the 1st day of January, 1879, the United States notes then outstanding should be redeemed in coin, and in order to provide and prepare for such redemption the Secretary of the Treasury was authorized not only to use any surplus revenues of the Government, but to issue bonds of the United States and dispose of them for coin and to use the proceeds for the purposes contemplated by the statute.

In May, 1878, and before the date thus appointed for the redemption and retirement of these notes, another statute was passed forbidding their further cancellation and retirement. Some of them had, however, been

previously redeemed and canceled upon the issue of additional national-bank circulation, as permitted by the law of 1875, so that the amount outstanding at the time of the passage of the act forbidding their further retirement was $346,681,016.

The law of 1878 did not stop at distinct prohibition, but contained in addition the following express provision:

> And when any of said notes may be redeemed or be received into the Treasury under any law from any source whatever, and shall belong to the United States, they shall not be retired, canceled, or destroyed, but they shall be reissued and paid out again and kept in circulation.

This was the condition of affairs on the 1st day of January, 1879, which had been fixed upon four years before as the date for entering upon the redemption and retirement of all these notes, and for which such abundant means had been provided.

The Government was put in the anomalous situation of owing to the holders of its notes debts payable in gold on demand which could neither be retired by receiving such notes in discharge of obligations due the Government nor canceled by actual payment in gold. It was forced to redeem without redemption and to pay without acquittance.

There had been issued and sold $95,500,000 of the bonds authorized by the resumption act of 1875, the proceeds of which, together with other gold in the Treasury, created a gold fund deemed sufficient to meet the demands which might be made upon it for the redemption of the outstanding United States notes. This fund, together with such other gold as might be from time to time in the Treasury available for the same purpose, has been since called our gold reserve, and $100,000,000 has been regarded as an adequate amount to accomplish its object. This fund amounted on the 1st day of January, 1879, to $114,193,360, and though thereafter constantly fluctuating it did not fall below that sum until July, 1892. In April, 1893, for the first time since its establishment, this reserve amounted to less than $100,000,000, containing at that date only $97,011,330.

In the meantime, and in July, 1890, an act had been passed directing larger governmental monthly purchases of silver than had been required under previous laws, and providing that in payment for such silver Treasury notes of the United States should be issued payable on demand in gold or silver coin, at the discretion of the Secretary of the Treasury. It was, however, declared in the act to be "the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio or such ratio as may be provided by law." In view of this declaration it was not deemed permissible for the Secretary of the Treasury to exercise the discretion in terms conferred on him by refusing to pay gold on these notes when demanded, because by such discrimination in favor of the gold dollar the so-called parity of the two metals would be destroyed and grave and dangerous consequences would

be precipitated by affirming or accentuating the constantly widening disparity between their actual values under the existing ratio.

It thus resulted that the Treasury notes issued in payment of silver purchases under the law of 1890 were necessarily treated as gold obligations at the option of the holder. These notes on the 1st day of November, 1893, when the law compelling the monthly purchase of silver was repealed, amounted to more than $155,000,000. The notes of this description now outstanding added to the United States notes still undiminished by redemption or cancellation constitute a volume of gold obligations amounting to nearly $500,000,000.

These obligations are the instruments which ever since we had a gold reserve have been used to deplete it.

This reserve, as has been stated, had fallen in April, 1893, to $97,011,330. It has from that time to the present, with very few and unimportant upward movements, steadily decreased, except as it has been temporarily replenished by the sale of bonds.

Among the causes for this constant and uniform shrinkage in this fund may be mentioned the great falling off of exports under the operation of the tariff law until recently in force, which crippled our exchange of commodities with foreign nations and necessitated to some extent the payment of our balances in gold; the unnatural infusion of silver into our currency and the increasing agitation for its free and unlimited coinage, which have created apprehension as to our disposition or ability to continue gold payments; the consequent hoarding of gold at home and the stoppage of investments of foreign capital, as well as the return of our securities already sold abroad; and the high rate of foreign exchange, which induced the shipment of our gold to be drawn against as a matter of speculation.

In consequence of these conditions the gold reserve on the 1st day of February, 1894, was reduced to $65,438,377, having lost more than $31,000,000 during the preceding nine months, or since April, 1893. Its replenishment being necessary and no other manner of accomplishing it being possible, resort was had to the issue and sale of bonds provided for by the resumption act of 1875. Fifty millions of these bonds were sold, yielding $58,633,295.71, which was added to the reserve fund of gold then on hand. As a result of this operation this reserve, which had suffered constant and large withdrawals in the meantime, stood on the 6th day of March, 1894, at the sum of $107,446,802. Its depletion was, however, immediately thereafter so accelerated that on the 30th day of June, 1894, it had fallen to $64,873,025, thus losing by withdrawals more than $42,000,000 in five months and dropping slightly below its situation when the sale of $50,000,000 in bonds was effected for its replenishment.

This depressed condition grew worse, and on the 24th day of November, 1894, our gold reserve being reduced to $57,669,701, it became necessary to again strengthen it.

This was done by another sale of bonds amounting to $50,000,000, from which there was realized $58,538,500, with which the fund was increased to $111,142,021 on the 4th day of December, 1894.

Again disappointment awaited the anxious hope for relief. There was not even a lull in the exasperating withdrawals of gold. On the contrary, they grew larger and more persistent than ever. Between the 4th day of December, 1894, and early in February, 1895, a period of scarcely more than two months after the second reenforcement of our gold reserve by the sale of bonds, it had lost by such withdrawals more than $69,000,000 and had fallen to $41,340,181. Nearly $43,000,000 had been withdrawn within the month immediately preceding this situation.

In anticipation of impending trouble I had on the 28th day of January, 1895, addressed a communication* to the Congress fully setting forth our difficulties and dangerous position and earnestly recommending that authority be given the Secretary of the Treasury to issue bonds bearing a low rate of interest, payable by their terms in gold, for the purpose of maintaining a sufficient gold reserve and also for the redemption and cancellation of outstanding United States notes and the Treasury notes issued for the purchase of silver under the law of 1890. This recommendation did not, however, meet with legislative approval.

In February, 1895, therefore, the situation was exceedingly critical. With a reserve perilously low and a refusal of Congressional aid, everything indicated that the end of gold payments by the Government was imminent. The results of prior bond issues had been exceedingly unsatisfactory, and the large withdrawals of gold immediately succeeding their public sale in open market gave rise to a reasonable suspicion that a large part of the gold paid into the Treasury upon such sales was promptly drawn out again by the presentation of United States notes or Treasury notes, and found its way to the hands of those who had only temporarily parted with it in the purchase of bonds.

In this emergency, and in view of its surrounding perplexities, it became entirely apparent to those upon whom the struggle for safety was devolved not only that our gold reserve must, for the third time in less than thirteen months, be restored by another issue and sale of bonds bearing a high rate of interest and badly suited to the purpose, but that a plan must be adopted for their disposition promising better results than those realized on previous sales. An agreement was therefore made with a number of financiers and bankers whereby it was stipulated that bonds described in the resumption act of 1875, payable in coin thirty years after their date, bearing interest at the rate of 4 per cent per annum, and amounting to about $62,000,000, should be exchanged for gold, receivable by weight, amounting to a little more than $65,000,000.

This gold was to be delivered in such installments as would complete its delivery within about six months from the date of the contract, and

*See pp. 5993-5997.

at least one-half of the amount was to be furnished from abroad. It was also agreed by those supplying this gold that during the continuance of the contract they would by every means in their power protect the Government against gold withdrawals. The contract also provided that if Congress would authorize their issue bonds payable by their terms in gold and bearing interest at the rate of 3 per cent per annum might within ten days be substituted at par for the 4 per cent bonds described in the agreement.

On the day this contract was made its terms were communicated to Congress by a special Executive message,* in which it was stated that more than $16,000,000 would be saved to the Government if gold bonds bearing 3 per cent interest were authorized to be substituted for those mentioned in the contract.

The Congress having declined to grant the necessary authority to secure this saving, the contract, unmodified, was carried out, resulting in a gold reserve amounting to $107,571,230 on the 8th day of July, 1895. The performance of this contract not only restored the reserve, but checked for a time the withdrawals of gold and brought on a period of restored confidence and such peace and quiet in business circles as were of the greatest possible value to every interest that affects our people. I have never had the slightest misgiving concerning the wisdom or propriety of this arrangement, and am quite willing to answer for my full share of responsibility for its promotion. I believe it averted a disaster the imminence of which was, fortunately, not at the time generally understood by our people.

Though the contract mentioned stayed for a time the tide of gold withdrawal, its good results could not be permanent. Recent withdrawals have reduced the reserve from $107,571,230 on the 8th day of July, 1895, to $79,333,966. How long it will remain large enough to render its increase unnecessary is only matter of conjecture, though quite large withdrawals for shipment in the immediate future are predicted in well-informed quarters. About $16,000,000 has been withdrawn during the month of November.

The foregoing statement of events and conditions develops the fact that after increasing our interest-bearing bonded indebtedness more than $162,000,000 to save our gold reserve we are nearly where we started, having now in such reserve $79,333,966, as against $65,438,377 in February, 1894, when the first bonds were issued.

Though the amount of gold drawn from the Treasury appears to be very large as gathered from the facts and figures herein presented, it actually was much larger, considerable sums having been acquired by the Treasury within the several periods stated without the issue of bonds. On the 28th of January, 1895, it was reported by the Secretary of the Treasury that more than $172,000,000 of gold had been withdrawn for

*See pp. 5999-6000.

hoarding or shipment during the year preceding. He now reports that from January 1, 1879, to July 14, 1890, a period of more than eleven years, only a little over $28,000,000 was withdrawn, and that between July 14, 1890, the date of the passage of the law for an increased purchase of silver, and the 1st day of December, 1895, or within less than five and a half years, there was withdrawn nearly $375,000,000, making a total of more than $403,000,000 drawn from the Treasury in gold since January 1, 1879, the date fixed in 1875 for the retirement of the United States notes.

Nearly $327,000,000 of the gold thus withdrawn has been paid out on these United States notes, and yet every one of the $346,000,000 is still uncanceled and ready to do service in future gold depletions.

More than $76,000,000 in gold has since their creation in 1890 been paid out from the Treasury upon the notes given on the purchase of silver by the Government, and yet the whole, amounting to $155,000,000, except a little more than $16,000,000 which has been retired by exchanges for silver at the request of the holders, remains outstanding and prepared to join their older and more experienced allies in future raids upon the Treasury's gold reserve.

In other words, the Government has paid in gold more than nine-tenths of its United States notes and still owes them all. It has paid in gold about one-half of its notes given for silver purchases without extinguishing by such payment one dollar of these notes.

When, added to all this, we are reminded that to carry on this astounding financial scheme the Government has incurred a bonded indebtedness of $95,500,000 in establishing a gold reserve and of $162,315,400 in efforts to maintain it; that the annual interest charge on such bonded indebtedness is more than $11,000,000; that a continuance of our present course may result in further bond issues, and that we have suffered or are threatened with all this for the sake of supplying gold for foreign shipment or facilitating its hoarding at home, a situation is exhibited which certainly ought to arrest attention and provoke immediate legislative relief.

I am convinced the only thorough and practicable remedy for our troubles is found in the retirement and cancellation of our United States notes, commonly called greenbacks, and the outstanding Treasury notes issued by the Government in payment of silver purchases under the act of 1890.

I believe this could be quite readily accomplished by the exchange of these notes for United States bonds, of small as well as large denominations, bearing a low rate of interest. They should be long-term bonds, thus increasing their desirability as investments, and because their payment could be well postponed to a period far removed from present financial burdens and perplexities, when with increased prosperity and resources they would be more easily met.

To further insure the cancellation of these notes and also provide a way by which gold may be added to our currency in lieu of them, a feature in the plan should be an authority given to the Secretary of the Treasury to dispose of the bonds abroad for gold if necessary to complete the contemplated redemption and cancellation, permitting him to use the proceeds of such bonds to take up and cancel any of the notes that may be in the Treasury or that may be received by the Government on any account.

The increase of our bonded debt involved in this plan would be amply compensated by renewed activity and enterprise in all business circles, the restored confidence at home, the reinstated faith in our monetary strength abroad, and the stimulation of every interest and industry that would follow the cancellation of the gold-demand obligations now afflicting us. In any event, the bonds proposed would stand for the extinguishment of a troublesome indebtedness, while in the path we now follow there lurks the menace of unending bonds, with our indebtedness still undischarged and aggravated in every feature. The obligations necessary to fund this indebtedness would not equal in amount those from which we have been relieved since 1884 by anticipation and payment beyond the requirements of the sinking fund out of our surplus revenues.

The currency withdrawn by the retirement of the United States notes and Treasury notes, amounting to probably less than $486,000,000, might be supplied by such gold as would be used on their retirement or by an increase in the circulation of our national banks. Though the aggregate capital of those now in existence amounts to more than $664,000,000, their outstanding circulation based on bond security amounts to only about $190,000,000. They are authorized to issue notes amounting to 90 per cent of the bonds deposited to secure their circulation, but in no event beyond the amount of their capital stock, and they are obliged to pay 1 per cent tax on the circulation they issue.

I think they should be allowed to issue circulation equal to the par value of the bonds they deposit to secure it, and that the tax on their circulation should be reduced to one-fourth of 1 per cent, which would undoubtedly meet all the expense the Government incurs on their account. In addition they should be allowed to substitute or deposit in lieu of the bonds now required as security for their circulation those which would be issued for the purpose of retiring the United States notes and Treasury notes.

The banks already existing, if they desired to avail themselves of the provisions of law thus modified, could issue circulation, in addition to that already outstanding, amounting to $478,000,000, which would nearly or quite equal the currency proposed to be canceled. At any rate, I should confidently expect to see the existing national banks or others to be organized avail themselves of the proposed encouragements to issue circulation and promptly fill any vacuum and supply every currency need.

It has always seemed to me that the provisions of law regarding the capital of national banks, which operate as a limitation to their location, fail to make proper compensation for the suppression of State banks, which came near to the people in all sections of the country and readily furnished them with banking accommodations and facilities. Any inconvenience or embarrassment arising from these restrictions on the location of national banks might well be remedied by better adapting the present system to the creation of banks in smaller communities or by permitting banks of large capital to establish branches in such localities as would serve the people, so regulated and restrained as to secure their safe and conservative control and management.

But there might not be the necessity for such an addition to the currency by new issues of bank circulation as at first glance is indicated. If we should be relieved from maintaining a gold reserve under conditions that constitute it the barometer of our solvency, and if our Treasury should no longer be the foolish purveyor of gold for nations abroad or for speculation and hoarding by our citizens at home, I should expect to see gold resume its natural and normal functions in the business affairs of the country and cease to be an object attracting the timid watch of our people and exciting their sensitive imaginations.

I do not overlook the fact that the cancellation of the Treasury notes issued under the silver-purchasing act of 1890 would leave the Treasury in the actual ownership of sufficient silver, including seigniorage, to coin nearly $178,000,000 in standard dollars. It is worthy of consideration whether this might not from time to time be converted into dollars or fractional coin and slowly put into circulation, as in the judgment of the Secretary of the Treasury the necessities of the country should require.

Whatever is attempted should be entered upon fully appreciating the fact that by careless, easy descent we have reached a dangerous depth, and that our ascent will not be accomplished without laborious toil and struggle. We shall be wise if we realize that we are financially ill and that our restoration to health may require heroic treatment and unpleasant remedies.

In the present stage of our difficulty it is not easy to understand how the amount of our revenue receipts directly affects it. The important question is not the quantity of money received in revenue payments, but the kind of money we maintain and our ability to continue in sound financial condition. We are considering the Government's holdings of gold as related to the soundness of our money and as affecting our national credit and monetary strength.

If our gold reserve had never been impaired; if no bonds had ever been issued to replenish it; if there had been no fear and timidity concerning our ability to continue gold payments; if any part of our revenues were now paid in gold, and if we could look to our gold receipts as a means of maintaining a safe reserve, the amount of our revenues would be

an influential factor in the problem. But, unfortunately, all the circumstances that might lend weight to this consideration are entirely lacking.

In our present predicament no gold is received by the Government in payment of revenue charges, nor would there be if the revenues were increased. The receipts of the Treasury, when not in silver certificates, consist of United States notes and Treasury notes issued for silver purchases. These forms of money are only useful to the Government in paying its current ordinary expenses, and its quantity in Government possession does not in the least contribute toward giving us that kind of safe financial standing or condition which is built on gold alone.

If it is said that these notes if held by the Government can be used to obtain gold for our reserve, the answer is easy. The people draw gold from the Treasury on demand upon United States notes and Treasury notes, but the proposition that the Treasury can on demand draw gold from the people upon them would be regarded in these days with wonder and amusement; and even if this could be done there is nothing to prevent those thus parting with their gold from regaining it the next day or the next hour by the presentation of the notes they received in exchange for it.

The Secretary of the Treasury might use such notes taken from a surplus revenue to buy gold in the market. Of course he could not do this without paying a premium. Private holders of gold, unlike the Government, having no parity to maintain, would not be restrained from making the best bargain possible when they furnished gold to the Treasury; but the moment the Secretary of the Treasury bought gold on any terms above par he would establish a general and universal premium upon it, thus breaking down the parity between gold and silver, which the Government is pledged to maintain, and opening the way to new and serious complications. In the meantime the premium would not remain stationary, and the absurd spectacle might be presented of a dealer selling gold to the Government and with United States notes or Treasury notes in his hand immediately clamoring for its return and a resale at a higher premium.

It may be claimed that a large revenue and redundant receipts might favorably affect the situation under discussion by affording an opportunity of retaining these notes in the Treasury when received, and thus preventing their presentation for gold. Such retention to be useful ought to be at least measurably permanent; and this is precisely what is prohibited, so far as United States notes are concerned, by the law of 1878, forbidding their further retirement. That statute in so many words provides that these notes when received into the Treasury and belonging to the United States shall be "paid out again and kept in circulation."

It will, moreover, be readily seen that the Government could not refuse to pay out United States notes and Treasury notes in current transactions when demanded, and insist on paying out silver alone, and still

maintain the parity between that metal and the currency representing gold. Besides, the accumulation in the Treasury of currency of any kind exacted from the people through taxation is justly regarded as an evil, and it can not proceed far without vigorous protest against an unjustifiable retention of money from the business of the country and a denunciation of a scheme of taxation which proves itself to be unjust when it takes from the earnings and income of the citizen money so much in excess of the needs of Government support that large sums can be gathered and kept in the Treasury. Such a condition has heretofore in times of surplus revenue led the Government to restore currency to the people by the purchase of its unmatured bonds at a large premium and by a large increase of its deposits in national banks, and we easily remember that the abuse of Treasury accumulation has furnished a most persuasive argument in favor of legislation radically reducing our tariff taxation.

Perhaps it is supposed that sufficient revenue receipts would in a sentimental way improve the situation by inspiring confidence in our solvency and allaying the fear of pecuniary exhaustion. And yet through all our struggles to maintain our gold reserve there never has been any apprehension as to our ready ability to pay our way with such money as we had, and the question whether or not our current receipts met our current expenses has not entered into the estimate of our solvency. Of course the general state of our funds, exclusive of gold, was entirely immaterial to the foreign creditor and investor. His debt could only be paid in gold, and his only concern was our ability to keep on hand that kind of money.

On July 1, 1892, more than a year and a half before the first bonds were issued to replenish the gold reserve, there was a net balance in the Treasury, exclusive of such reserve, of less than $13,000,000, but the gold reserve amounted to more than $114,000,000, which was the quieting feature of the situation. It was when the stock of gold began rapidly to fall that fright supervened and our securities held abroad were returned for sale and debts owed abroad were pressed for payment. In the meantime extensive shipments of gold and other unfavorable indications caused restlessness and fright among our people at home. Thereupon the general state of our funds, exclusive of gold, became also immaterial to them, and they too drew gold from the Treasury for hoarding against all contingencies. This is plainly shown by the large increase in the proportion of gold withdrawn which was retained by our own people as time and threatening incidents progressed. During the fiscal year ending June 30, 1894, nearly $85,000,000 in gold was withdrawn from the Treasury and about $77,000,000 was sent abroad, while during the fiscal year ending June 30, 1895, over $117,000,000 was drawn out, of which only about $66,000,000 was shipped, leaving the large balance of such withdrawals to be accounted for by domestic hoarding.

Inasmuch as the withdrawal of our gold has resulted largely from fright, there is nothing apparent that will prevent its continuance or recurrence, with its natural consequences, except such a change in our financial methods as will reassure the frightened and make the desire for gold less intense. It is not clear how an increase in revenue, unless it be in gold, can satisfy those whose only anxiety is to gain gold from the Government's store.

It can not, therefore, be safe to rely upon increased revenues as a cure for our present troubles.

It is possible that the suggestion of increased revenue as a remedy for the difficulties we are considering may have originated in an intimation or distinct allegation that the bonds which have been issued ostensibly to replenish our gold reserve were really issued to supply insufficient revenue. Nothing can be further from the truth. Bonds were issued to obtain gold for the maintenance of our national credit. As has been shown, the gold thus obtained has been drawn again from the Treasury upon United States notes and Treasury notes. This operation would have been promptly prevented if possible; but these notes having thus been passed to the Treasury, they became the money of the Government, like any other ordinary Government funds, and there was nothing to do but to use them in paying Government expenses when needed.

At no time when bonds have been issued has there been any consideration of the question of paying the expenses of Government with their proceeds. There was no necessity to consider that question. At the time of each bond issue we had a safe surplus in the Treasury for ordinary operations, exclusive of the gold in our reserve. In February, 1894, when the first issue of bonds was made, such surplus amounted to over $18,000,000; in November, when the second issue was made, it amounted to more than $42,000,000, and in February, 1895, when bonds for the third time were issued, such surplus amounted to more than $100,000,000. It now amounts to $98,072,420.30.

Besides all this, the Secretary of the Treasury had no authority whatever to issue bonds to increase the ordinary revenues or pay current expenses.

I can not but think there has been some confusion of ideas regarding the effects of the issue of bonds and the results of the withdrawal of gold. It was the latter process, and not the former, that, by substituting in the Treasury United States notes and Treasury notes for gold, increased by their amount the money which was in the first instance subject to ordinary Government expenditure.

Although the law compelling an increased purchase of silver by the Government was passed on the 14th day of July, 1890, withdrawals of gold from the Treasury upon the notes given in payment on such purchases did not begin until October, 1891. Immediately following that date the withdrawals upon both these notes and United States notes increased

very largely, and have continued to such an extent that since the passage of that law there has been more than thirteen times as much gold taken out of the Treasury upon United States notes and Treasury notes issued for silver purchases as was thus withdrawn during the eleven and a half years immediately prior thereto and after the 1st day of January, 1879, when specie payments were resumed.

It is neither unfair nor unjust to charge a large share of our present financial perplexities and dangers to the operation of the laws of 1878 and 1890 compelling the purchase of silver by the Government, which not only furnished a new Treasury obligation upon which its gold could be withdrawn, but so increased the fear of an overwhelming flood of silver and a forced descent to silver payments that even the repeal of these laws did not entirely cure the evils of their existence.

While I have endeavored to make a plain statement of the disordered condition of our currency and the present dangers menacing our prosperity and to suggest a way which leads to a safer financial system, I have constantly had in mind the fact that many of my countrymen, whose sincerity I do not doubt, insist that the cure for the ills now threatening us may be found in the single and simple remedy of the free coinage of silver. They contend that our mints shall be at once thrown open to the free, unlimited, and independent coinage of both gold and silver dollars of full legal-tender quality, regardless of the action of any other government and in full view of the fact that the ratio between the metals which they suggest calls for 100 cents' worth of gold in the gold dollar at the present standard and only 50 cents in intrinsic worth of silver in the silver dollar.

Were there infinitely stronger reasons than can be adduced for hoping that such action would secure for us a bimetallic currency moving on lines of parity, an experiment so novel and hazardous as that proposed might well stagger those who believe that stability is an imperative condition of sound money.

No government, no human contrivance or act of legislation, has ever been able to hold the two metals together in free coinage at a ratio appreciably different from that which is established in the markets of the world.

Those who believe that our independent free coinage of silver at an artificial ratio with gold of 16 to 1 would restore the parity between the metals, and consequently between the coins, oppose an unsupported and improbable theory to the general belief and practice of other nations and to the teaching of the wisest statesmen and economists of the world, both in the past and present, and, what is far more conclusive, they run counter to our own actual experiences.

Twice in our earlier history our lawmakers, in attempting to establish a bimetallic currency, undertook free coinage upon a ratio which accidentally varied from the actual relative values of the two metals not more than 3 per cent. In both cases, notwithstanding greater difficulties and

cost of transportation than now exist, the coins whose intrinsic worth was undervalued in the ratio gradually and surely disappeared from our circulation and went to other countries where their real value was better recognized.

Acts of Congress were impotent to create equality where natural causes decreed even a slight inequality.

Twice in our recent history we have signally failed to raise by legislation the value of silver. Under an act of Congress passed in 1878 the Government was required for more than twelve years to expend annually at least $24,000,000 in the purchase of silver bullion for coinage. The act of July 14, 1890, in a still bolder effort, increased the amount of silver the Government was compelled to purchase and forced it to become the buyer annually of 54,000,000 ounces, or practically the entire product of our mines. Under both laws silver rapidly and steadily declined in value. The prophecy and the expressed hope and expectation of those in the Congress who led in the passage of the last-mentioned act that it would reestablish and maintain the former parity between the two metals are still fresh in our memory.

In the light of these experiences, which accord with the experiences of other nations, there is certainly no secure ground for the belief that an act of Congress could now bridge an inequality of 50 per cent between gold and silver at our present ratio, nor is there the least possibility that our country, which has less than one-seventh of the silver money in the world, could by its action alone raise not only our own but all silver to its lost ratio with gold. Our attempt to accomplish this by the free coinage of silver at a ratio differing widely from actual relative values would be the signal for the complete departure of gold from our circulation, the immediate and large contraction of our circulating medium, and a shrinkage in the real value and monetary efficiency of all other forms of currency as they settled to the level of silver monometallism. Everyone who receives a fixed salary and every worker for wages would find the dollar in his hand ruthlessly scaled down to the point of bitter disappointment, if not to pinching privation.

A change in our standard to silver monometallism would also bring on a collapse of the entire system of credit, which, when based on a standard which is recognized and adopted by the world of business, is many times more potent and useful than the entire volume of currency and is safely capable of almost indefinite expansion to meet the growth of trade and enterprise. In a self-invited struggle through darkness and uncertainty our humiliation would be increased by the consciousness that we had parted company with all the enlightened and progressive nations of the world and were desperately and hopelessly striving to meet the stress of modern commerce and competition with a debased and unsuitable currency and in association with the few weak and laggard nations which have silver alone as their standard of value.

All history warns us against rash experiments which threaten violent changes in our monetary standard and the degradation of our currency. The past is full of lessons teaching not only the economic dangers but the national immorality that follow in the train of such experiments. I will not believe that the American people can be persuaded after sober deliberation to jeopardize their nation's prestige and proud standing by encouraging financial nostrums, nor that they will yield to the false allurements of cheap money when they realize that it must result in the weakening of that financial integrity and rectitude which thus far in our history has been so devotedly cherished as one of the traits of true Americanism.

Our country's indebtedness, whether owing by the Government or existing between individuals, has been contracted with reference to our present standard. To decree by act of Congress that these debts shall be payable in less valuable dollars than those within the contemplation and intention of the parties when contracted would operate to transfer by the fiat of law and without compensation an amount of property and a volume of rights and interests almost incalculable.

Those who advocate a blind and headlong plunge to free coinage in the name of bimetallism, and professing the belief, contrary to all experience, that we could thus establish a double standard and a concurrent circulation of both metals in our coinage, are certainly reckoning from a cloudy standpoint. Our present standard of value is the standard of the civilized world and permits the only bimetallism now possible, or at least that is within the independent reach of any single nation, however powerful that nation may be. While the value of gold as a standard is steadied by almost universal commercial and business use, it does not despise silver nor seek its banishment. Wherever this standard is maintained there is at its side in free and unquestioned circulation a volume of silver currency sometimes equaling and sometimes even exceeding it in amount both maintained at a parity notwithstanding a depreciation or fluctuation in the intrinsic value of silver.

There is a vast difference between a standard of value and a currency for monetary use. The standard must necessarily be fixed and certain. The currency may be in divers forms and of various kinds. No silver-standard country has a gold currency in circulation, but an enlightened and wise system of finance secures the benefits of both gold and silver as currency and circulating medium by keeping the standard stable and all other currency at par with it. Such a system and such a standard also give free scope for the use and expansion of safe and conservative credit, so indispensable to broad and growing commercial transactions and so well substituted for the actual use of money. If a fixed and stable standard is maintained, such as the magnitude and safety of our commercial transactions and business require, the use of money itself is conveniently minimized.

Every dollar of fixed and stable value has through the agency of

confident credit an astonishing capacity of multiplying itself in financial work. Every unstable and fluctuating dollar fails as a basis of credit, and in its use begets gambling speculation and undermines the foundations of honest enterprise.

I have ventured to express myself on this subject with earnestness and plainness of speech because I can not rid myself of the belief that there lurk in the proposition for the free coinage of silver, so strongly approved and so enthusiastically advocated by a multitude of my countrymen, a serious menace to our prosperity and an insidious temptation of our people to wander from the allegiance they owe to public and private integrity. It is because I do not distrust the good faith and sincerity of those who press this scheme that I have imperfectly but with zeal submitted my thoughts upon this momentous subject. I can not refrain from begging them to reexamine their views and beliefs in the light of patriotic reason and familiar experience and to weigh again and again the consequences of such legislation as their efforts have invited. Even the continued agitation of the subject adds greatly to the difficulties of a dangerous financial situation already forced upon us.

In conclusion I especially entreat the people's representatives in the Congress, who are charged with the responsibility of inaugurating measures for the safety and prosperity of our common country, to promptly and effectively consider the ills of our critical financial plight. I have suggested a remedy which my judgment approves. I desire, however, to assure the Congress that I am prepared to cooperate with them in perfecting any other measure promising thorough and practical relief, and that I will gladly labor with them in every patriotic endeavor to further the interests and guard the welfare of our countrymen, whom in our respective places of duty we have undertaken to serve.

GROVER CLEVELAND.

SPECIAL MESSAGES.

To the Congress: EXECUTIVE MANSION, *December 17, 1895*

In my annual message addressed to the Congress on the 3d instant I called attention to the pending boundary controversy between Great Britain and the Republic of Venezuela and recited the substance of a representation made by this Government to Her Britannic Majesty's Government suggesting reasons why such dispute should be submitted to arbitration for settlement and inquiring whether it would be so submitted.*

The answer of the British Government, which was then awaited, has since been received, and, together with the dispatch to which it is a reply, is hereto appended.

*See p. 6064.

Such reply is embodied in two communications addressed by the British prime minister to Sir Julian Pauncefote, the British ambassador at this capital. It will be seen that one of these communications is devoted exclusively to observations upon the Monroe doctrine, and claims that in the present instance a new and strange extension and development of this doctrine is insisted on by the United States; that the reasons justifying an appeal to the doctrine enunciated by President Monroe are generally inapplicable "to the state of things in which we live at the present day," and especially inapplicable to a controversy involving the boundary line between Great Britain and Venezuela.

Without attempting extended argument in reply to these positions, it may not be amiss to suggest that the doctrine upon which we stand is strong and sound, because its enforcement is important to our peace and safety as a nation and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life and can not become obsolete while our Republic endures. If the balance of power is justly a cause for jealous anxiety among the Governments of the Old World and a subject for our absolute noninterference, none the less is an observance of the Monroe doctrine of vital concern to our people and their Government.

Assuming, therefore, that we may properly insist upon this doctrine without regard to "the state of things in which we live" or any changed conditions here or elsewhere, it is not apparent why its application may not be invoked in the present controversy.

If a European power by an extension of its boundaries takes possession of the territory of one of our neighboring Republics against its will and in derogation of its rights, it is difficult to see why to that extent such European power does not thereby attempt to extend its system of government to that portion of this continent which is thus taken. This is the precise action which President Monroe declared to be "dangerous to our peace and safety," and it can make no difference whether the European system is extended by an advance of frontier or otherwise.

It is also suggested in the British reply that we should not seek to apply the Monroe doctrine to the pending dispute because it does not embody any principle of international law which "is founded on the general consent of nations," and that "no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before and which has not since been accepted by the government of any other country."

Practically the principle for which we contend has peculiar, if not exclusive, relation to the United States. It may not have been admitted in so many words to the code of international law, but since in international councils every nation is entitled to the rights belonging to it, if the enforcement of the Monroe doctrine is something we may justly claim it

has its place in the code of international law as certainly and as securely as if it were specifically mentioned; and when the United States is a suitor before the high tribunal that administers international law the question to be determined is whether or not we present claims which the justice of that code of law can find to be right and valid.

The Monroe doctrine finds its recognition in those principles of international law which are based upon the theory that every nation shall have its rights protected and its just claims enforced.

Of course this Government is entirely confident that under the sanction of this doctrine we have clear rights and undoubted claims. Nor is this ignored in the British reply. The prime minister, while not admitting that the Monroe doctrine is applicable to present conditions, states:

> In declaring that the United States would resist any such enterprise if it was contemplated, President Monroe adopted a policy which received the entire sympathy of the English Government of that date.

He further declares:

> Though the language of President Monroe is directed to the attainment of objects which most Englishmen would agree to be salutary, it is impossible to admit that they have been inscribed by any adequate authority in the code of international law.

Again he says:

> They [Her Majesty's Government] fully concur with the view which President Monroe apparently entertained, that any disturbance of the existing territorial distribution in that hemisphere by any fresh acquisitions on the part of any European State would be a highly inexpedient change.

In the belief that the doctrine for which we contend was clear and definite, that it was founded upon substantial considerations and involved our safety and welfare, that it was fully applicable to our present conditions and to the state of the world's progress, and that it was directly related to the pending controversy, and without any conviction as to the final merits of the dispute, but anxious to learn in a satisfactory and conclusive manner whether Great Britain sought under a claim of boundary to extend her possessions on this continent without right, or whether she merely sought possession of territory fairly included within her lines of ownership, this Government proposed to the Government of Great Britain a resort to arbitration as the proper means of settling the question, to the end that a vexatious boundary dispute between the two contestants might be determined and our exact standing and relation in respect to the controversy might be made clear.

It will be seen from the correspondence herewith submitted that this proposition has been declined by the British Government upon grounds which in the circumstances seem to me to be far from satisfactory. It is deeply disappointing that such an appeal, actuated by the most friendly feelings toward both nations directly concerned, addressed to the sense of justice and to the magnanimity of one of the great powers of the world, and touching its relations to one comparatively weak and small, should have produced no better results.

The course to be pursued by this Government in view of the present condition does not appear to admit of serious doubt. Having labored faithfully for many years to induce Great Britain to submit this dispute to impartial arbitration, and having been now finally apprised of her refusal to do so, nothing remains but to accept the situation, to recognize its plain requirements, and deal with it accordingly. Great Britain's present proposition has never thus far been regarded as admissible by Venezuela, though any adjustment of the boundary which that country may deem for her advantage and may enter into of her own free will can not of course be objected to by the United States.

Assuming, however, that the attitude of Venezuela will remain unchanged, the dispute has reached such a stage as to make it now incumbent upon the United States to take measures to determine with sufficient certainty for its justification what is the true divisional line between the Republic of Venezuela and British Guiana. The inquiry to that end should of course be conducted carefully and judicially, and due weight should be given to all available evidence, records, and facts in support of the claims of both parties.

In order that such an examination should be prosecuted in a thorough and satisfactory manner, I suggest that the Congress make an adequate appropriation for the expenses of a commission, to be appointed by the Executive, who shall make the necessary investigation and report upon the matter with the least possible delay. When such report is made and accepted it will, in my opinion, be the duty of the United States to resist by every means in its power, as a willful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela.

In making these recommendations I am fully alive to the responsibility incurred and keenly realize all the consequences that may follow.

I am, nevertheless, firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking peoples of the world as being otherwise than friendly competitors in the onward march of civilization and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice and the consequent loss of national self-respect and honor, beneath which are shielded and defended a people's safety and greatness.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 19, 1895.

To the Senate of the United States:

In response to the resolution of the Senate of the 4th instant, requesting the President, "if in his judgment not incompatible with the public

interest, to communicate to the Senate all information which has been received by him or by the State Department in regard to injuries inflicted upon the persons or property of American citizens in Turkey and in regard to the condition of affairs there in reference to the oppression or cruelties practiced upon the Armenian subjects of the Turkish Government; also to inform the Senate whether all the American consuls in the Turkish Empire are at their posts of duty, and, if not, to state any circumstances which have interfered with the performance of the duties of such consuls," I transmit herewith a report from the Secretary of State.

GROVER CLEVELAND.

To the Congress: EXECUTIVE MANSION, *December 20, 1895.*

In my last annual message the evils of our present financial system were plainly pointed out and the causes and means of the depletion of Government gold were explained. It was therein stated that after all the efforts that had been made by the executive branch of the Government to protect our gold reserve by the issuance of bonds amounting to more than $162,000,000, such reserve then amounted to but little more than $79,000,000; that about $16,000,000 had been withdrawn from such reserve during the month next previous to the date of that message, and that quite large withdrawals for shipment in the immediate future were predicted.

The contingency then feared has reached us, and the withdrawals of gold since the communication referred to and others that appear inevitable threaten such a depletion in our Government gold reserve as brings us face to face to the necessity of further action for its protection. This condition is intensified by the prevalence in certain quarters of sudden and unusual apprehension and timidity in business circles.

We are in the midst of another season of perplexity caused by our dangerous and fatuous financial operations. These may be expected to recur with certainty as long as there is no amendment in our financial system. If in this particular instance our predicament is at all influenced by a recent insistence upon the position we should occupy in our relation to certain questions concerning our foreign policy, this furnishes a signal and impressive warning that even the patriotic sentiment of our people is not an adequate substitute for a sound financial policy.

Of course there can be no doubt in any thoughtful mind as to the complete solvency of our nation, nor can there be any just apprehension that the American people will be satisfied with less than an honest payment of our public obligations in the recognized money of the world. We should not overlook the fact, however, that aroused fear is unreasoning and must be taken into account in all efforts to avert possible loss and the sacrifice of our people's interests.

The real and sensible cure for our recurring troubles can only be effected

by a complete change in our financial scheme. Pending that the executive branch of the Government will not relax its efforts nor abandon its determination to use every means within its reach to maintain before the world American credit, nor will there be any hesitation in exhibiting its confidence in the resources of our country and the constant patriotism of our people.

In view, however, of the peculiar situation now confronting us, I have ventured to herein express the earnest hope that the Congress, in default of the inauguration of a better system of finance, will not take a recess from its labors before it has by legislative enactment or declaration done something not only to remind those apprehensive among our own people that the resources of their Government and a scrupulous regard for honest dealing afford a sure guaranty of unquestioned safety and soundness, but to reassure the world that with these factors and the patriotism of our citizens the ability and determination of our nation to meet in any circumstances every obligation it incurs do not admit of question.

I ask at the hands of the Congress such prompt aid as it alone has the power to give to prevent in a time of fear and apprehension any sacrifice of the people's interests and the public funds or the impairment of our public credit in an effort by Executive action to relieve the dangers of the present emergency.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 30, 1895.

To the Senate of the United States:

In response to the resolution of the Senate of the 21st instant, relative to the refusal of the Turkish Government to grant exequaturs to the vice-consuls of the United States at Erzerum and Harpoot, I transmit herewith a report from the Secretary of State.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 10, 1896.

To the Senate of the United States:

I transmit herewith, in response to the Senate resolution of December 18, 1895, addressed to the Secretary of State, a report of that officer, with the accompanying correspondence, in relation to the arrest and imprisonment of Victor Hugo McCord at Arequipa, Peru, requested by said resolution.

GROVER CLEVELAND.

To the Congress: EXECUTIVE MANSION, *January 17, 1896.*

I desire to invite attention to the necessity for prompt legislation in order to remove the limitation of the time within which suits may be

brought by the Government to annul unlawful or unauthorized grants of public lands.

By the act of March 3, 1887 (24 U. S. Statutes at Large, p. 556), the Secretary of the Interior is directed to adjust each of the railroad land grants which may be unadjusted, and it is provided, if it shall appear upon the completion of such adjustment or sooner that the lands have been from any cause erroneously certified or patented by the United States to or for the use of a company claiming under any of said grants, it shall be the duty of the Secretary of the Interior to demand a reconveyance of the title to all lands so erroneously certified or patented, and on failure of the company to make such reconveyance within ninety days the Attorney-General is required to institute and prosecute in the proper courts necessary proceedings to restore title to said lands to the United States. The demands made under this act have been numerous, and in some cases have resulted in the reinvestment of title to the lands in the United States upon demand, but in most cases the demand has been refused and suits have been necessary.

The work of adjustment has been unavoidably slow. The said act makes provision for the reinstatement of entries erroneously canceled on account of railroad withdrawals, and, upon certain conditions, provides for the confirmation of titles derived by purchase from the companies of lands shown to be excepted from the grants. It contemplates a disposition of every tract, described by the granting act, situated within the primary or granted limits; an inspection of each tract certified or patented to the company within such limit, to determine whether such certification or patenting was proper; the listing of those tracts shown to be erroneously certified, and the determination for what tracts lost to the grant indemnity is to be allowed.

It is necessary in making such an adjustment that all questions of conflicting claims, either between settlers and the road or between two roads the grants for which conflict or overlap, be finally disposed of, so that a proper disposition of the land can be shown in the adjustment. While adjustments have proceeded with the utmost rapidity consistent with a due regard for the rights of the settlers, of the United States, and the railroad companies, and while to this end the force of adjusters has been largely augmented in the General Land Office, many of the grants yet remain unadjusted.

In some of the grants, notably the corporation grants, the lack of surveys up to the present time made the completion of the work impossible.

Decisions rendered by the Interior Department in numerous conflicts have been carried into the courts. The construction of the Interior Department has generally been sustained when final determination has been reached, but many of the cases are still pending in the courts, not yet having been decided. Some of these cases, while involving immediately the title to only one particular tract, will when decided furnish a rule of

construction to control the disposition of the title to thousands of acres of other lands in the same situation. Until the courts pass upon these questions final adjustments can not be made.

By section 8 of the act of March 3, 1891 (26 U. S. Statutes at Large, p. 1099), it is expressly enacted that suits by the United States to vacate and annul any patent theretofore issued "shall only be brought within five years from the passage of this act." This period of five years will expire on the 3d of March, 1896. Of course no suit by the United States to secure the cancellation of a patent in this class of cases after that date would be effective. Indeed, it is now too late to initiate proceedings looking to any such suit, inasmuch as demand has to be first made on the company, and thereafter ninety days must be allowed for compliance or refusal, in accordance with the provisions of the act of March 3, 1887. Before the expiration of this period the statute would bar the right of recovery by the Government, and the benefits of anticipated favorable decisions of the courts would be lost so far as they might determine the character and disposition of grants similar to those directly involved in pending cases.

It will be readily seen that if this act of limitations is to remain on the statute books the portion of the adjustment act referred to would be rendered nugatory. Indeed, there would be but little use in continuing the adjustment of many of the land grants, inasmuch as ascertained rights of the United States or of settlers could not be enforced by law.

Legislation establishing limitations against the right of the Government to sue is an innovation not entirely consistent with the general history of the rights of the Government, for it has uniformly been held that time did not bar the sovereign power from the assertion of a right.

The early adjudications of the Land Department construed the grants with a degree of liberality toward the grantees which later decisions of the courts and of the Department have not sustained. It seems clear that the further progress of adjustments will develop facts and transactions in connection with these land grants which ought to be the subjects of legal examination and scrutiny before they are allowed to become final and conclusive. The Government should not be prevented from going into the courts to right wrongs perpetrated by its agents or any other parties, and by which much of the public domain may be diverted from the people at large to corporate uses.

In these circumstances it seems to me that the act of 1891 should be so amended as not to apply to suits brought to recover title to lands certified or patented on account of railroad or other grants; and I respectfully urge upon Congress speedy action to the end suggested, so that the adjustment of these grants may proceed without the interposition of a bar, through lapse of time, against the right of recovery by the Government in proper cases.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 20, 1896.

To the House of Representatives:

In response to the resolution of the House of Representatives of December 28, 1895, I transmit herewith a report from the Secretary of State and accompanying papers, relating to certain speeches made by Thomas F. Bayard, ambassador of the United States to Great Britain.

In response to that part of said resolution which requests information as to the action taken by the President concerning the speeches therein referred to, I reply that no action has been taken thereon by the President except such as is indicated in the report and correspondence herewith submitted.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 22, 1896.

To the House of Representatives:

I transmit herewith, in compliance with the resolution of the House of Representatives of December 28, 1895, a report from the Secretary of State, with copies of all the correspondence of record in the Department of State in relation to the schooner *Henry Crosby*, fired upon while at anchor at Azua, Santo Domingo, December 10, 1893.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January 22, 1896.*

To the Senate of the United States:

In response to the resolution adopted by the Senate on December 16, 1895, respecting what action had been taken in regard to the payment of the appropriation for the bounty on sugar contained in the sundry civil bill approved March 2, 1895, I herewith transmit a communication received from the Secretary of the Treasury, which contains all the information I have upon the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 23, 1896

To the Senate:

I transmit herewith a report from the Secretary of State, in answer to a resolution of the Senate of the 16th instant, requesting information in regard to the treatment of naturalized citizens of the United States of Armenian origin, and their families, by the Turkish Government.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 27, 1896.

To the House of Representatives:

I transmit herewith a report from the Secretary of State, with copies of all correspondence of record relating to the failure of the scheme for the colonization of negroes in Mexico, necessitating their return to their home in Alabama.

I referred to this matter in my message to Congress at the beginning of the present session, and for the reasons then given* I again urge the propriety of making an appropriation to cover the cost of transportation furnished by the railroad companies.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 30, 1896.

To the House of Representatives:

I transmit herewith a communication from the Secretary of State, accompanying the reports of the consuls of the United States on trade and commerce. In view of the evident value of this compilation to our business interests, I indorse the recommendation of the Secretary that Congress authorize the printing of a special edition of 10,000 copies of the General Summary of the Commerce of the World for distribution by the Department of State, and of 2,500 copies of Commercial Relations (including this summary) to enable the Department to meet the increasing demand for commercial information.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 3, 1896.

To the Congress:

In my last annual message allusion was made to the lawless killing of certain Italian laborers in the State of Colorado,† and it was added that "the dependent families of some of the unfortunate victims invite by their deplorable condition gracious provision for their needs."

It now appears that in addition to three of these laborers who were riotously killed two others, who escaped death by flight, incurred pitiable disabilities through exposure and privation.

Without discussing the question of the liability of the United States for these results, either by reason of treaty obligations or under the general rules of international law, I venture to urge upon the Congress the propriety of making from the public Treasury prompt and reasonable pecuniary provision for those injured and for the families of those who were killed.

*See p. 6066. †See p. 6065.

To aid in the consideration of the subject I append hereto a report of the Secretary of State, accompanied by certain correspondence which quite fully presents all the features of the several cases.

GROVER CLEVELAND.

To the House of Representatives:

Pursuant to the request made in a House resolution passed on the 30th day of January, 1896, I herewith transmit the report, with accompanying maps and exhibits, of the board of engineers under the provisions of chapter 189 of laws of 1895, for the purpose of ascertaining the feasibility, permanence, and cost of the construction and completion of the Nicaragua Canal by the route contemplated and provided for by the act which passed the Senate January 28, 1895, entitled "An act to amend an act entitled 'An act to incorporate the Maritime Canal Company of Nicaragua,' approved February 20, 1889."

GROVER CLEVELAND.

FEBRUARY 7, 1896.

EXECUTIVE MANSION,
Washington, February 10, 1896.

To the Senate of the United States:

I transmit herewith, in answer to the resolution of the Senate of December 18, 1895, a report by the Secretary of State, accompanied by copies of correspondence touching the establishment or attempted establishment of post routes by Great Britain or the Dominion of Canada over or upon United States territory in Alaska; also as to the occupation or attempted occupation by any means of any portion of that territory by the military or civil authorities of Great Britain or of Canada.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 10, 1896.

To the Senate:

I transmit herewith, for the consideration of the Senate with a view to its ratification, a convention signed at Washington the 8th instant between the Governments of the United States of America and of Her Britannic Majesty, providing for the settlement of the claims presented by Great Britain against the United States in virtue of the convention of February 29, 1892, and of the findings of the Paris Tribunal of Arbitration pursuant to article 8 of said convention, as well as of the additional claims specified in paragraph 5 of the preamble of the present convention.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 11, 1896.

To the Senate of the United States:

I transmit herewith, in answer to the resolution of the Senate of December 9, 1895, a report from the Secretary of State, accompanied by copies of correspondence and other papers in regard to the case of John L. Waller, a citizen of the United States, at present in the custody of the French Government.

It will be seen upon examination, as would of course be expected, that there is a slight conflict of evidence upon some of the features of Mr. Waller's case. Nevertheless, upon a fair and just consideration of all the facts and circumstances as presented, and especially in view of Mr. Waller's own letters, the conclusions set forth in the report of the Secretary of State do not appear to admit of any reasonable doubt nor to leave open to the Executive any other course of action than that adopted and acted upon as therein stated.

It is expected that Mr. Waller's release from imprisonment will be immediately forthcoming.

GROVER CLEVELAND.

[A similar message was sent to the House of Representatives in answer to a resolution of that body of December 28, 1895.]

EXECUTIVE MANSION,
Washington, February 11, 1896.

To the House of Representatives:

In response to the resolution of the House of Representatives of December 28 last, as follows—

Resolved, That the Secretary of State be directed to communicate to the House of Representatives, if not inconsistent with the public interests, copies of all correspondence relating to affairs in Cuba since February last—

I transmit herewith a communication from the Secretary of State and such portions of the correspondence requested as I deem it not inconsistent with the public interests to communicate.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 14, 1896.

To the Senate:

In response to the resolution of the Senate of January 7, 1896, I transmit herewith a report from the Secretary of State, with an accompanying report of the special agent of the United States sent to the Fiji Islands to investigate the claims of B. H. Henry and other American citizens for compensation for certain lands alleged to have been owned by them and claimed to have been appropriated by the British Government.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 14, 1896.

To the Senate of the United States:

I transmit, with the accompanying papers, a report from the Secretary of State, answering the resolution of the Senate of January 16, 1896, addressed to him, calling for information concerning the claims against Peru of Thomas W. Sparrow, N. B. Noland, and others, members of the commission known as the Hydrographic Commission of the Amazon, employed by the Government of Peru, for compensation for their services on said commission.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 14, 1896.

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a communication from the Secretary of State, covering the report of the Director of the Bureau of the American Republics for the year 1895.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 17, 1896.

To the House of Representatives:

I transmit herewith, in compliance with the resolution of the House of Representatives of February 1, 1896, a report from the Secretary of State, with copies of the correspondence of record in the Department of State in relation to the exclusion of life-insurance companies of the United States from transacting business in Germany.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 18, 1896.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives, the Senate concurring, I return herewith Senate bill 879, entitled "An act to amend an act entitled 'An act to grant to the Gainesville, McAlester and St. Louis Railroad Company a right of way through the Indian Territory.'"

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 28, 1896.

To the Senate:

I transmit herewith, in response to the resolutions of the Senate of the 18th and 19th instant, a report of the Secretary of State, in regard to the claim of A. H. Lazare against the Government of Hayti.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 9, 1896.

To the Senate:

I transmit herewith, in answer to the resolution of the Senate of the 24th ultimo, a report from the Secretary of State, in relation to the claim of the legal representatives of Lieutenant George C. Foulke against the Government of the United States.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 9, 1896.*

To the Senate:

I transmit herewith, in response to the Senate's resolution of February 6, 1896, addressed to the Secretary of State, copies, in translation, of the decrees or orders of the Governments of Germany, France, Belgium, and Denmark placing restrictions upon the importation of certain American products.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 13, 1896.

To the Senate:

I transmit herewith, in response to a resolution of the Senate of March 2, a report from the Secretary of State, accompanied by copies of correspondence touching the arrest in Havana of Marcus E. Rodriguez, Luis Someillau y Azpeitia, and Luis Someillau y Vidal, citizens of the United States.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 13, 1896.

To the House of Representatives:

In response to the resolution of the House of Representatives of February 13, 1896, I transmit a report from the Secretary of State and accompanying papers, relating to the claim of Bernard Campbell against the Government of Hayti.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 14, 1896*

To the Senate of the United States:

In compliance with a resolution of the Senate, the House of Representatives concurring, I return herewith the enrolled joint resolution (S. R. 116) authorizing the Public Printer to print the Annual Report of the United States Coast and Geodetic Survey in quarto form and to bind it in one volume.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 15, 1896.

To the Senate of the United States:

In response to the resolution of March 24, 1896, requesting that the Senate be furnished with the correspondence of the Department of State between November 5, 1875, and the date of the pacification of Cuba in 1878 relating to the subject of mediation or intervention by the United States in the affairs of that island, I transmit a report from the Secretary of State, forwarding such papers as seem to be called for by the resolution in question.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, April 30, 1896.

To the House of Representatives:

I transmit herewith, in response to the resolution of the House of Representatives of the 9th instant, addressed to the Secretary of State, a report of that officer, accompanied by copies of the correspondence in regard to the imprisonment of Mrs. Florence E. Maybrick.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 16, 1896.

To the Senate:

I transmit herewith, in response to the resolution of the Senate dated the 9th instant and addressed to the Secretary of State, a report of that officer, accompanied by copies of printed documents containing the information desired respecting the historical archives deposited in the Department of State.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 23, 1896.

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 16th instant, a report of the Secretary of State, to which are attached copies in English and Spanish of the original text of a protocol executed January 12, 1877, between the minister plenipotentiary of the United States of America to the Court of Spain and the minister of state of His Majesty the King of Spain.

It being, in my judgment, incompatible with the public service, I am constrained to refrain from communicating to the Senate at this time copies of the correspondence described in the third paragraph of said resolution.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 28, 1896.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 27th instant, the Senate concurring, I return herewith the bill (H. R. 5731) entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 3, 1896.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 2d instant, the Senate concurring, I return herewith the bill (H. R. 3279) entitled "An act to authorize the reassessment of water-main taxes or assessments in the District of Columbia, and for other purposes."

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 8, 1896.*

To the Senate:

I transmit herewith a report of the Secretary of State, in answer to the resolution of the Senate of May 9, 1896, directing that "the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Postmaster-General, and the Attorney-General cause a careful and thorough inquiry to be made regarding the number of aliens employed in their respective Departments, and to communicate the result of said inquiry to the Senate at the earliest practicable day."

GROVER CLEVELAND.

VETO MESSAGES.

EXECUTIVE MANSION, *February 28, 1896.*

To the House of Representatives:

I herewith return without my approval House bill No. 2769, entitled "An act to authorize the leasing of lands for educational purposes in Arizona."

This bill provides for the leasing of all the public lands reserved to the Territory of Arizona for the benefit of its universities and schools, "under such laws and regulations as may be hereafter prescribed by the legislature of said Territory."

If the proposed legislation granted no further authority than this, it would, in terms at least, recognize the safety and propriety of leaving the desirability of leasing these lands and the limitations and safeguards

regulating such leasing to be determined by the local legislature chosen by the people to make their laws and protect their interests.

Instead of stopping here, however, the bill further provides that until such legislative action the governor, the secretary of the Territory, and the superintendent of public instruction shall constitute a board for the leasing of said lands under the rules and regulations heretofore prescribed by the Secretary of the Interior. It is specifically declared that it shall not be necessary to submit said leases to the Secretary of the Interior for approval, and that no leases shall be made for a longer term than five years nor for a term extending beyond the date of the admission of the Territory to statehood.

Under these provisions the lands reserved for university and school purposes, whose value largely depends upon their standing timber, and in which every citizen of the Territory has a deep interest, may be leased and denuded of their timber by officers none of whom have been chosen by the people, and without the sanction of any law or regulation made by their representatives in the local legislature. Even the measure of protection which would be afforded the citizens of the Territory by a submission to the Secretary of the Interior of the leases proposed, and thus giving him an opportunity to ascertain whether or not they comply with his regulations, is especially withheld.

It was hardly necessary to provide in this bill that these lands might be leased "under such laws and regulations as may be hereafter prescribed by the legislature of said Territory" if the action of the legislature was to be forestalled and rendered nugatory by the immediate and unrestrained action of the officers constituted "a board for the leasing of said lands" pending such legislative consideration. These are inconsistencies which are not satisfactorily accounted for by the suggestion that the time that would elapse before the legislature could consider the subject would be important.

The protests I have received from numerous and influential citizens of the Territory indicate considerable opposition to this bill among those interested in the preservation and proper management of these school lands.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 21, 1896.*

To the Senate:

I herewith return without my approval Senate bill No. 894, entitled "An act granting a pension to Nancy G. Allabach."

This bill provides for the payment of a pension of $30 a month to the beneficiary named as the widow of Peter H. Allabach.

This soldier served for nine months in the Army during the War of the Rebellion, having also served in the war with Mexico.

He was mustered out of his last service on the 23d day of May, 1863, and died on the 11th of February, 1892.

During his life he made no application for pension on account of disabilities. It is not now claimed that he was in the least disabled as an incident of his military service, nor is it alleged that his death, which occurred nearly twenty-nine years after his discharge from the Army, was in any degree related to such service.

His widow was pensioned after his death under the statute allowing pensions to widows of soldiers of the Mexican War without reference to the cause of the death of their husbands. Her case is also, indirectly, one of those provided for by the general act passed in 1890, commonly called the dependent-pension law.

It is proposed, however, by the special act under consideration to give this widow a pension of $30 a month without the least suggestion of the death or disability of her husband having been caused by his military service, and solely, as far as is discoverable, upon the ground that she is poor and needs the money.

This condition is precisely covered by existing general laws; and if a precedent is to be established by the special legislation proposed, I do not see how the same relief as is contained in this bill can be denied to the many thousand widows who in a similar situation are now on the pension rolls under general laws.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 21, 1896.*

To the Senate:

I return herewith without my approval Senate bill No. 249, entitled "An act granting a pension to Charles E. Jones."

The beneficiary named in this bill was a photographer who accompanied one of the regiments of the Union Army in the War of the Rebellion. He was injured, apparently not very seriously, while taking photographs and when no battle was in actual progress. He was not enlisted, and was in no manner in the military service of the United States.

Aside from the question as to whether his present sad condition is attributable to the injury mentioned, it seems to me the extension of pension relief to such cases would open the door to legislation hard to justify and impossible to restrain from abuse.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 25, 1896.*

To the House of Representatives:

I herewith return without my approval House bill No. 1094, entitled "An act granting a pension to Francis E. Hoover."

It is proposed by this bill to grant a pension of $50 a month to the beneficiary named, who served as a private for about one year and nine months in the Union Army during the War of the Rebellion.

I do not understand it is claimed in any quarter that the present helpless condition of this soldier is at all attributable to his army service.

He himself never applied for a pension until after the passage of the law of 1890, providing for a pension for those who had served in the Army and are unable to maintain themselves by manual labor on account of disability not chargeable to army service. The committee of the House of Representatives in reporting this bill declare: "The testimony does not show the disease of the soldier to be of service origin."

The beneficiary is now receiving the largest pension permitted under the law of 1890.

His condition may well excite our sympathy, but to grant him a pension of $50 a month without the least suggestion that his pitiable disability is related to his army service, and in view of the fact that he is now receiving the highest pension allowed by a general law enacted to expressly meet such cases, it seems to me would result in an unfair discrimination as against many thousand worthy soldiers similarly situated, and would invite applications which, while difficult to refuse in the face of such a precedent, must certainly lead to the breaking down of all the limitations and restrictions provided by our laws regulating pensions.

The value of pension legislation depends as much upon fairness and justice in its administration as it does upon its liberality and generosity.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 19, 1896.*

To the House of Representatives:

I return herewith without approval House bill No. 1139, entitled "An act granting a pension to Caroline D. Mowatt."

The beneficiary mentioned in this bill was married in 1858 to Alfred B. Soule, who served as major of a Maine regiment of volunteers in the War of the Rebellion from September 10, 1862, to July 15, 1863, when he was mustered out of the service. He died in February, 1864, and in 1866 a pension was granted to the beneficiary as his widow at the rate of $25 a month, dating from the time of her husband's death, two years before.

The widow continued to receive the pension allowed her until June 17, 1869, when she was married to Henry T. Mowatt, which under the law terminated her pensionable right. It appears, however, that a small pension was allowed two minor children of the soldier at the time of their mother's remarriage, which continued until 1876, more than seven years after such remarriage, when the youngest of said children became 16 years of age.

In 1878, nine years after he became the second husband of the beneficiary, Henry T. Mowatt died.

Though twenty-seven years have passed since the beneficiary ceased to be the widow of the deceased soldier, and though she has been the widow of Henry T. Mowatt for eighteen years, it is proposed by the bill under consideration to again place her name upon the pension roll

'as widow of Alfred B. Soule, late major of the Twenty-third Regiment Maine Volunteers."

Of course the propriety of the law which terminates the pension of a soldier's widow upon her remarriage will not be questioned. I suppose no one would suggest the renewal of such pension during the lifetime of her second husband. Her pensionable relation to the Government as the widow of her deceased soldier husband, under any reasonable pension theory, absolutely terminated with her remarriage.

If she is to be again pensioned because her second husband does not survive her, the transaction has more the complexion of an adjustment of a governmental insurance on the life of the second husband than the allowance of a pension on just and reasonable grounds.

Legislation of this description is sure to establish a precedent which it will be difficult to disclaim, and which if followed can not fail to lead to abuse.

GROVER CLEVELAND

EXECUTIVE MANSION, *May 20, 1896.*

To the House of Representatives:

I return herewith without approval House bill No. 577, entitled "An act granting a pension to Lydia A. Taft."

In 1858 the beneficiary named in this bill became the wife of Lowell Taft, who afterwards enlisted in the Union Army as a private in a Connecticut regiment and served from August, 1862, until June, 1865. The records of the War Department show that he was captured by the enemy June 15, 1863, and paroled July 14, 1863.

No application for a pension was ever made by him, though he lived until 1891, when he died at a soldiers' home in Connecticut.

No suggestion is made that he incurred any disability in the service or that his death was in any manner related to such service.

In 1882, nearly twenty-four years after her marriage to the soldier and seventeen years after his discharge from the Army, the beneficiary obtained a divorce from him upon the grounds of habitual drunkenness and failure to afford her a support.

It is now proposed, five years after the soldier's death, to pension as his widow the wife who was divorced from him at her own instance fourteen years ago.

A government's generous care for widows deprived of a husband's support and companionship by the casualties or disabilities of war rests upon grounds which all must cheerfully approve; but it is difficult to place upon these grounds the case of this proposed beneficiary, who has renounced a wife's relation, with all its duties and all its rights, and who by her own act placed herself beyond the possibility of becoming the widow of her soldier husband.

If, as stated in the report of the House committee on this bill, the

beneficiary for some reason contributed something toward the soldier's support after her divorce and paid the expense of his burial, the fact still remains that this soldier died in a soldiers' home wifeless and leaving no one surviving who, claiming to be his widow, should be allowed to profit by his death.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 21, 1896.*

To the House of Representatives:

I herewith return without approval House bill No. 1185, entitled "An act granting a pension to Rachel Patton."

John H. Patton, the husband of the beneficiary, was a captain in an Illinois regiment, and was killed in action June 25, 1863.

In December, 1863, the beneficiary was pensioned as his widow at the rate of $20 a month.

She received this pension for thirteen years and until 1876, when she married one William G. Culbertson. Thereupon, because of such marriage, her name was dropped from the pension rolls, pursuant to law.

In 1889, thirteen years after her remarriage and the termination of her pension, she procured a decree of divorce against her second husband on the ground of desertion.

She has a small income, but it does not appear that alimony was allowed her in the divorce proceedings.

It is proposed by this bill to pension her at the same rate which was allowed her while she remained the widow of the deceased soldier.

It can not be denied that the remarriage of this beneficiary terminated her pensionable relation to the Government as completely as if it never existed. The statute which so provides simply declares what is approved by a fair and sensible consideration of pension principles. As a legal proposition, the pensionable status of a soldier's widow, lost by her remarriage, can not be recovered by the dissolution of the second marriage. Waiving, however, the application of strictly legal principles to the subject, there does not appear to be any sentiment which should restore to the pension rolls as the widow of a deceased soldier a divorced wife who has relinquished the title of soldier's widow to again become a wife, and who to secure the expected advantages and comforts of a second marriage has been quite willing to forego the provision which was made for her by the Government solely on the grounds of her soldier widowhood.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 23, 1896.*

To the House of Representatives:

I herewith return without approval House bill No. 4804, entitled "An act to amend subdivision 10 of section 2238 of the Revised Statutes of the United States."

The subdivision of the section of the law proposed to be amended by this bill has reference to the fees allowed receivers and registers at public-land offices. This subdivision now reads as follows:

> Tenth. Registers and receivers are allowed jointly at the rate of 15 cents per hundred words for testimony reduced by them to writing for claimants in establishing preemption and homestead rights.

The bill under consideration so amends this subdivision that in the first clause a compensation of 10 cents per hundred words is allowed to the registers and receivers for reducing to writing the testimony of claimants "in all cases," instead of 15 cents per hundred words for reducing to writing testimony "in establishing preemption and homestead rights," as provided in the old law.

Whether this reduction of fees preserves an adequate and just compensation to the officers affected I suppose has been duly considered by the Congress.

The bill, however, after providing for this change in compensation, contains the following words:

> And in all cases where they [the registers and receivers] can secure a competent person to reduce the testimony to writing for a sum less per folio than the sum herein prescribed it shall be their duty to do so.

By the addition of these words the bill seems to give certain fees by way of official compensation to the officers named for certain services to be performed by them and at the same time to provide that if they can secure other persons willing to perform these services for a less sum than the amount allowed to them they shall forego their fees in favor of such persons.

It is very important that the fees and perquisites of public officers should be definitely and clearly fixed, so that the official may know precisely the items of his lawful compensation and the people be protected from extortion and imposition.

A public officer ought not to be expected to search very industriously for a person to underbid him for official work, and if such a person appeared the temptation to combination and conspiracy would in many cases lead to abuse.

It will be observed that the officers are not given by this amendment the option to do this work themselves at 10 cents per folio or secure a competent person to do it at a less rate, nor, if they desire, are they allowed to compete with those willing to accept a less compensation. They may charge a fixed rate for the service if performed by them, but in any event if they can procure another party to perform the services for a less sum they must do so.

I am convinced that this bill in its present form, perhaps through unfortunate phraseology, if it became a law would lead to confusion and uncertainty and would invite practices against which the public service ought to be carefully guarded.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 26, 1896.*

To the House of Representatives:

I return herewith without approval House bill No. 7161, entitled "An act for the relief of Benjamin F. Jones."

This bill directs the payment to the beneficiary, late postmaster at Beauregard, Miss., or to his order, of the sum of $50, in full compensation for services and expenses in carrying and distributing the mails between Wesson and Beauregard, in the State of Mississippi, in 1883.

It appears from the report of the House committee recommending the passage of this bill that on April 22, 1883, while Mr. Jones was postmaster at Beauregard, a cyclone destroyed every building in the place, including that in which the post-office was kept; that in consequence of this disaster the mails for Beauregard were for a period of thirty-five days, and until May 27, 1883, deposited at Wesson, 1 mile distant; that during that time it became necessary to transport such mails from Wesson to Beauregard, and that the postmaster caused this to be done, at an expense of $97.

A report from the Postmaster-General discloses the fact that this claim was presented to the Department in 1884 and was rejected on the ground that if the service was performed as alleged it was not authorized or directed by the Department.

In 1885 a suit was instituted against this postmaster and his sureties for a balance due the Government from him on his official accounts for the quarter ending June 30, 1883.

It will be observed that this quarter covered the period within which the alleged services were performed.

In the suit referred to a judgment was recovered by the Government against the postmaster for $190.45, being the balance found due from him. This judgment still remains unpaid.

In this condition of affairs it is quite plain that in fairness and justice no appropriation should be made in favor of the claimant.

It is the opinion of the Auditor of the Post-Office Department that even if this bill becomes a law payment of the money appropriated should be withheld under a section of the Revised Statutes which provides:

> No money shall be paid to any person for his compensation who is in arrears to the United States until he has accounted for and paid into the Treasury all sums for which he may be liable.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May 29, 1896.*

To the House of Representatives:

I return herewith without approval House bill No. 7977, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

There are 417 items of appropriation contained in this bill, and every part of the country is represented in the distribution of its favors.

It directly appropriates or provides for the immediate expenditure of nearly $14,000,000 for river and harbor work. This sum is in addition to appropriations contained in another bill for similar purposes amounting to a little more than $3,000,000, which have already been favorably considered at the present session of Congress.

The result is that the contemplated immediate expenditures for the objects mentioned amount to about $17,000,000.

A more startling feature of this bill is its authorization of contracts for river and harbor work amounting to more than $62,000,000. Though the payments on these contracts are in most cases so distributed that they are to be met by future appropriations, more than $3,000,000 on their account are included in the direct appropriations above mentioned. Of the remainder, nearly $20,000,000 will fall due during the fiscal year ending June 30, 1898, and amounts somewhat less in the years immediately succeeding. A few contracts of a like character authorized under previous statutes are still outstanding, and to meet payments on these more than $4,000,000 must be appropriated in the immediate future.

If, therefore, this bill becomes a law, the obligations which will be imposed on the Government, together with the appropriations made for immediate expenditure on account of rivers and harbors, will amount to about $80,000,000. Nor is this all. The bill directs numerous surveys and examinations which contemplate new work and further contracts and which portend largely increased expenditures and obligations.

There is no ground to hope that in the face of persistent and growing demands the aggregate of appropriations for the smaller schemes, not covered by contracts, will be reduced or even remain stationary. For the fiscal year ending June 30, 1898, such appropriations, together with the installments on contracts which will fall due in that year, can hardly be less than $30,000,000; and it may reasonably be apprehended that the prevalent tendency toward increased expenditures of this sort and the concealment which postponed payments afford for extravagance will increase the burdens chargeable to this account in succeeding years.

In view of the obligation imposed upon me by the Constitution, it seems to me quite clear that I only discharge a duty to our people when I interpose my disapproval of the legislation proposed.

Many of the objects for which it appropriates public money are not related to the public welfare, and many of them are palpably for the benefit of limited localities or in aid of individual interests.

On the face of the bill it appears that not a few of these alleged improvements have been so improvidently planned and prosecuted that after an unwise expenditure of millions of dollars new experiments for their accomplishment have been entered upon.

While those instrusted with the management of public funds in the

RUSSIA
CHINA
JAPAN
4396 M.
3379 M.
MIDWAY ISL.
WAKE ISL.
PHILIPPINE ISL.
AUSTRALIA

SKA
CANADA
49 M.
UNITED STATES
2098 M.
AWAII ISL.
MEXICO
1400 M.
4711 M.
VIRGIN ISL.
PORTO RICO ISL.
VENEZUELA
GUIANA
CANAL ZONE
COLOMBIA
ECUADOR
BRAZIL
PERU
BOLIVIA
PARAGUAY
CHILE
ARGENTINA
92 M.

S0-BGM-757